

JOURNAL OF THE SENATE

Wednesday, October 9, 1957

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The Senate convened at 10:30 o'clock A.M., pursuant to adjournment on Tuesday, October 8, 1957.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Carlton	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Dickinson	Kelly	Stenstrom
Brackin	Eaton	Kickliter	Stratton
Branch	Edwards	Knight	Sutton
Bronson	Gautier	Morgan	
Cabot	Getzen		

-37.

A quorum present.

Senator Barber was excused from attendance upon the Session.

The following Prayer was offered by the Senate Chaplain, The Reverend Harry B. Douglas:

Almighty God, our only source of strength and courage; leave us not in this time of our greatest need. Remove from us the temptations of these last days. May we neither be so anxious that we act in haste nor indifferent that we neglect our responsibilities. And above all, keep alive within us both our sense of honor and our sense of humour, we ask in the name of our strong Redeemer, Jesus Christ. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Tuesday, October 1, 1957, was further corrected as follows:

Page 24, column 1, line 30, counting from the bottom of the column, strike out the word "President" and insert in lieu thereof the words "Presiding Officer".

Also—

Page 24, column 2, line 32, strike out the word "President" and insert in lieu thereof the words "Presiding Officer".

Also—

Page 25, column 1, line 22, counting from the bottom of the column, strike out the word "President" and insert in lieu thereof the words "Presiding Officer".

Also—

Page 25, column 2, line 17, counting from the bottom of the column, strike out the word "President" and insert in lieu thereof the words "Presiding Officer".

Also—

Page 26, column 1, line 24, strike out the word "President" and insert in lieu thereof the words "Presiding Officer".

And as further corrected was approved.

The Senate daily Journal of Wednesday, October 2, 1957, was further corrected as follows:

Page 43, column 1, line 21, strike out the word "or" and insert in lieu thereof the word "and".

And as further corrected was approved.

The Senate daily Journal of Monday, October 7, was further corrected as follows:

Page 97, column 1, line 15, strike out the figures "45" and insert in lieu thereof the figures "46".

Also—

Page 97, column 2, line 23, strike out the figures "16" and insert in lieu thereof the figures "15".

Also—

Page 98, column 1, line 12, counting from the bottom of the column, following the word "Florida" and before the figures "1957" insert the word "of".

Also—

Page 99, column 2, line 12, counting from the bottom of the column, following the word "providing" and before the word "effective" insert the word "an".

Also—

Page 101, column 1, line 5, strike out the words "the article" and insert in lieu thereof the words "this article".

Also—

Page 101, column 1, line 8, strike out the words "if the" and insert in lieu thereof the words "if this".

Also—

Page 102, column 1, line 15, strike out the words "an an" and insert in lieu thereof the words "at an".

Also—

Page 102, column 1, line 25, counting from the bottom of the column, strike out the word "of" and insert in lieu thereof the word "and".

Also—

Page 104, column 2, at the end of line 10, insert the following: "the legislature, that is to say:".

Also—

Page 104, column 2, line 15, counting from the bottom of the column, strike out the figure "1" and insert in lieu thereof the Roman Numeral "I".

Also—

Page 104, column 2, line 17, strike out the word "upon" and insert in lieu thereof the word "under".

Also—

Page 104, column 2, line 22, following the word "for" and before the word "safekeeping" insert the word "the".

Also—

Page 104, column 2, line 21, counting from the bottom of the column, following the Roman Numeral "X" and before the Roman Numeral "XII" insert the word "and".

Also—

Page 105, column 2, strike out lines 15 and 16, counting from the bottom of the column, and insert in lieu thereof the following:

"By Messrs. Sheppard of Lee, Hathaway of Charlotte and Moody of Hillsborough—"

Also—

Page 109, column 2, line 21, counting from the bottom of the column, at the end of line 21 add the following:

"with amendment—"

Also—

Page 110, column 1, at the end of line 25, strike out the period and add the following:

"immediately."

Also—

Page 110, column 1, at the end of line 36, add the following:

"with amendments—"

Also—

Page 110, column 2, at the end of line 19, strike out the period and add the following:

"immediately."

And as further corrected was approved.

The Senate daily Journal of Tuesday, October 8, 1957, was corrected as follows:

Page 113, column 1, strike out lines 12 to 25, both inclusive, counting from the bottom of the column, and insert in lieu thereof the following:

"S. B. No. 48-X(57)—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Escambia County, Florida, to construct or acquire a hospital or hospitals in and for the County of Escambia, Florida; authorizing such Board of Commissioners to create and establish a hospital system or systems; providing for the governing and administration of such hospital or hospitals, system or systems; authorizing and providing for the issuance and sale of revenue bonds in an aggregate principal amount not exceeding \$2,500,000.00 to finance such construction or acquisition; authorizing the Board of Commissioners to fix, establish and collect rates, fees, rentals and other charges for the services and facilities of such hospital or hospitals, system or systems; providing that such revenue bonds may be payable as to both principal and interest from revenues derived from the operation of such hospital or hospitals, system or systems or from any other moneys lawfully available therefor; authorizing and providing for the levy and collection of ad valorem taxes for the payment of the operation and maintenance of said hospital or hospitals, system or systems; providing for the rights and remedies of the holders of such revenue bonds and other details of such revenue bonds; and providing when this Act shall take effect."

Also—

Page 113, column 1, line 4, strike out the word "amendment" and insert in lieu thereof the word "amendments".

Also—

Page 119, column 1, between lines 8 and 9 insert the following:

"By the Committee on Constitutional Amendments—"

Also—

Page 119, column 1, line 8, counting from the bottom of the column, strike out the word "adjourning" and insert in lieu thereof the word "adjourning".

Also—

Page 119, column 2, line 6, strike out the word "lieutanant" and insert in lieu thereof the word "lieutenant".

Also—

Page 119, column 2, line 28, strike out the word "adminis-tration" and insert in lieu thereof the word "administrative".

Also—

Page 120, column 1, line 21, strike out the word "officials" and insert in lieu thereof the word "official".

Also—

Page 120, column 1, line 5, counting from the bottom of the column, strike out the word "season" and insert in lieu thereof the word "seasons".

Also—

Page 120, column 1, line 15, counting from the bottom of the column, strike out the word "allowance" and insert in lieu thereof the word "allowances".

Also—

Page 121, column 2, line 3, counting from the bottom of the column, following the word "each" and before the word "county" insert the word "other".

Also—

Page 122, column 1, line 2, strike out the word "hereafter" and insert in lieu thereof the word "thereafter".

Also—

Page 122, column 2, line 30, strike out the word "poulation" and insert in lieu thereof the word "population".

Also—

Page 123, column 2, line 31, at the end of line 31 add the following "one".

Also—

Page 125, column 2, strike out line 29, and insert in lieu thereof the following:

"plats and platting of land in Escambia County, Florida, and"

Also—

Page 125, column 2, line 32, strike out the word "governor-ing" and insert in lieu thereof the word "governing".

Also—

Page 127, column 1, line 13, counting from the bottom of the column, strike out the name "Bracken" and insert in lieu thereof the name "Brackin".

Also—

Page 130, column 2, between lines 10 and 11, counting from the bottom of the column, insert the following:

"Nays—None."

Also—

Page 130, column 2, between lines 20 and 21, counting from the bottom of the column, insert the following:

"Yeas—37."

Also—

Page 132, column 1, line 26, strike out the word "resoution" and insert in lieu thereof the word "resolution".

Also—

Page 132, column 2, line 11, counting from the bottom of the column, strike out the word "individaul" and insert in lieu thereof the word "individual".

Also—

Page 133, column 1, line 24, strike out the word "change" and insert in lieu thereof the word "charge".

Also—

Page 136, column 1, line 14, counting from the bottom of the column, strike out the word "amendment" and insert in lieu thereof the word "amendments".

Also—

Page 137, column 1, line 22, counting from the bottom of

the column, strike out the word "articles" and insert in lieu thereof the word "article".

Also—

Page 137, column 1, at the beginning of line 31, insert the word "OF".

Also—

Page 137, column 2, line 28, counting from the bottom of the column, strike out the word "early" and insert in lieu thereof the word "earlier".

Also—

Page 139, column 1, line 37, counting from the bottom of the column, strike out the word "Funds" and insert in lieu thereof the word "Fund".

Also—

Page 139, column 2, line 4, following the word "be" and before the word "set" insert the word "so".

Also—

Page 140, column 1, line 34, strike out the word "than" and insert in lieu thereof the word "that".

Also—

Page 140, column 1, line 6, counting from the bottom of the column, strike out the word "of" and insert in lieu thereof the word "or".

Also—

Page 140, column 2, line 21, counting from the bottom of the column, strike out the word "integral" and insert in lieu thereof the word "integral".

Also—

Page 140, column 2, line 41, counting from the bottom of the column, strike out the word "with" and insert in lieu thereof the word "within".

Also—

Page 142, column 1, strike out line 9, and insert in lieu thereof the following:

"Until a home rule charter is adopted the legislature may"

Also—

Page 142, column 1, line 35, strike out the word "ordinaance" and insert in lieu thereof the word "ordinance".

Also—

Page 144, column 2, line 36, counting from the bottom of the column, strike out the word "governmental" and insert in lieu thereof the word "governmental".

Also—

Page 145, column 1, line 15, strike out the word "terms" and insert in lieu thereof the word "term".

Also—

Page 150, column 2, line 19, counting from the bottom of the column, strike out the word "inheritance" and insert in lieu thereof the word "inheritances".

Also—

Page 151, column 1, line 13, counting from the bottom of the column, strike out the word "anticiapted" and insert in lieu thereof the word "anticipated".

Also—

Page 151, column 1, line 47, counting from the bottom of the column, strike out the word "witheld" and insert in lieu thereof the word "withheld".

Also—

Page 151, column 2, line 1, counting from the bottom of the column, strike out the word "find" and insert in lieu thereof the word "finds".

Also—

Page 151, column 2, line 2, counting from the bottom of the column, strike out the word "inavlid" and insert in lieu thereof the word "invalid."

Also—

Page 152, column 1, line 15, counting from the bottom of the column, following the word "be" and before the word "waived" insert the word "further".

Also—

Page 152, column 1, line 21, counting from the bottom of the column, strike out the word "use" and insert in lieu thereof the word "used".

Also—

Page 153, column 1, line 24, counting from the bottom of the column, strike out the word "power" and insert in lieu thereof the word "powers".

Also—

Page 153, column 1, line 26, counting from the bottom of the column, strike out the word "cents" and insert in lieu thereof the word "cent".

Also—

Page 153, column 2, line 28, strike out the word "valution" and insert in lieu thereof the word "valuation".

Also—

Page 157, column 1, between lines 9 and 10, insert the following:

"Senator Johns moved that the rules be waived and Senate Bill No. 70-X(57) be immediately certified to the House of Representatives after being engrossed.

Which was agreed to by a two-thirds vote and it was so ordered."

Also—

Page 159, column 2, lines 3, 4, 5 and 6, counting from the bottom of the column, strike out the following:

"Benefits resulting from improvements proposed to be made by a private or public corporation or individual shall not be applied in reduction of compensation."

—and insert in lieu thereof the following:

"Benefits resulting from improvements proposed to be made by an individual or a private or public corporation, except a governmental corporation when acquiring a road right of way, shall not be applied in reduction of compensation."

Also—

Page 160, column 1, at the beginning of line 5, counting from the bottom of the column, strike out the word "and" and insert in lieu thereof the word "an".

Also—

Page 160, column 1, line 24, counting from the bottom of the column, strike out the following:

"by trial de novo, or otherwise"

And as corrected was approved.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

S. B. No. 33-X(57)—A bill to be entitled An Act amending Chapter 361, Florida Statutes, relating to eminent domain and public utilities, by providing for an additional section to be known as Section 361.06, granting the right of eminent domain and other rights to petroleum and petroleum products pipeline companies.

—begs leave to report that the House Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Bill No. 33-X(57), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 70-X(57)—A bill to be entitled An Act relating to the Child Molestor Law; amending Section 801.02, Subsections (1), (b) and (2) of Section 801.03, Sections 801.04, 801.06, 801.07, Subsection (2) of 801.08, 801.10, 801.11, 801.12, 801.13, and adding a new Section 801.16, Florida Statutes, providing for an appropriation to the created Florida research and treatment center, providing and authorizing the hiring of certain personnel, providing certain methods of procedure to be used with sexual deviates, providing for keeping of records and other regulations as to committed persons, providing for severability.

—begs leave to report that the Senate Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Bill No. 70-X(57), contained in the above report was ordered certified to the House of Representatives immediately.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. No. 40-X(57)
S. B. No. 41-X(57)
S. B. No. 42-X(57)
S. B. No. 46-X(57)

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957, for his approval.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk, to whom was referred—

H. B. No. 5-X	H. B. No. 53-X
H. B. No. 35-X	H. B. No. 54-X
H. B. No. 39-X	H. B. No. 55-X
H. B. No. 43-X	H. B. No. 57-X
H. B. No. 44-X	H. B. No. 58-X
H. B. No. 45-X	H. B. No. 59-X
H. B. No. 47-X	

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate
as Ex Officio Enrolling Clerk
of the Senate.

Senator Rawls moved that upon the adjournment of the Senate at this Session no further bills be introduced.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Brackin requested unanimous consent of the Senate to be recorded as having voted in favor of the passage of all Joint Resolutions at the Afternoon Session of October 8, 1957, from which Session he was excused.

Unanimous consent was granted.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

The President submitted to the Senate the question of whether or not the following Bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Rawls—

S. B. No. 78-X(57)—A bill to be entitled An Act creating and establishing a Port Authority in Jackson County; designating its members; defining its rights, duties and authority; prescribing the method of financing said authority and its activities as prescribed by this Act, and any other matters incidental to carrying out the purpose of the Act; subject to referendum; and providing an effective date.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Rawls moved that the rules be waived and Senate Bill No. 78-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78-X(57) was read the second time by title only.

Senator Rawls moved that the rules be further waived and Senate Bill No. 78-X(57) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 78-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Dickinson	Kelly	Stenstrom
Brackin	Eaton	Kicklitter	Stratton
Branch	Edwards	Knight	Sutton
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 78-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President submitted to the Senate the question of whether or not the following Bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Rood—

S. B. No. 79-X(57)—A bill to be entitled An Act to amend Section 1 of Chapter 27,202, Acts of 1951, relating to the issuance of a beverage license to any municipality, county, airport authority or other governmental agency operating an airport where an airline transportation company or companies, properly certificated by the United States of America, operate and maintain a regular passenger service on scheduled flights, in each county of the State of Florida having a population of

more than 200,000 but less than 400,000 according to the most recent census, by making said Chapter 27,202, Acts of 1951, also applicable to counties having a population of not more than 29,000 or less than 28,000 according to the most recent census; and providing for the effective date of this Act.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Rood moved that the rules be waived and Senate Bill No. 79-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79-X(57) was read the second time by title only.

Senator Rood offered the following amendment to Senate Bill No. 79-X(57):

In Section 1, line 9; (typewritten bill) strike out the words and figures: 29,000 or less than 28,000 and insert in lieu thereof the following: 36,000 or less than 34,650

Senator Rood moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rood also offered the following amendment to Senate Bill No. 79-X(57):

In Title, lines 14 and 15, (typewritten bill) strike out the words and figures: 29,000 or less than 28,000 and insert in lieu thereof the following: 36,000 or less than 34,650

Senator Rood moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rood moved that the rules be further waived and Senate Bill No. 79-X(57), as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79-X(57), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 79-X(57), as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Dickinson	Kelly	Stenstrom
Brackin	Eaton	Kickliter	Stratton
Branch	Edwards	Knight	Sutton
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 79-X(57) passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Rood moved that the rules be waived and Senate Bill No. 79-X(57) be immediately certified to the House of Representatives after being engrossed.

Which was agreed to by a two-thirds vote and it was so ordered.

The President submitted to the Senate the question of whether or not the following Bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Brackin—

S. B. No. 80-X(57) — A bill to be entitled An Act empowering the city commissioners in all counties of the State of Florida having a population of not more than twenty-eight thousand (28,000) and not less than twenty-seven thousand (27,000) inhabitants, according to the last official

state-wide decennial census, to employ life guards at any public beach within the county; providing an effective date.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Brackin moved that the rules be waived and Senate Bill No. 80-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 80-X(57) was read the second time by title only.

Senator Brackin offered the following amendment to Senate Bill No. 80-X(57):

In Section 1, lines 5-8, (typewritten bill) strike out the word "City" where it appears and insert in lieu thereof the following: County

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin also offered the following amendment to Senate Bill No. 80-X(57):

In the Title, line 1, (typewritten bill) strike out the word: "City" and insert in lieu thereof the following: "County"

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin moved that the rules be further waived and Senate Bill No. 80-X(57), as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 80-X(57), as amended, was read the third time in full.

Upon the passage of Senate Bill No. 80-X(57), as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Dickinson	Kelly	Stenstrom
Brackin	Eaton	Kickliter	Stratton
Branch	Edwards	Knight	Sutton
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 80-X(57) passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Brackin moved that the rules be waived and Senate Bill No. 80-X(57) be immediately certified to the House of Representatives after being engrossed.

Which was agreed to by a two-thirds vote and it was so ordered.

The President submitted to the Senate the question of whether or not the following Bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Pope—

S. B. No. 81-X(57)—A bill to be entitled An Act designating State Road 210A, known as the Canal Road, as Roscoe Boulevard in St. Johns County.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Pope moved that the rules be waived and Senate Bill No. 81-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81-X(57) was read the second time by title only.

Senator Pope moved that the rules be further waived and Senate Bill No. 81-X(57) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 81-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Neblett
Adams	Carraway	Hodges	Pearce
Beall	Clarke	Houghton	Pope
Belser	Connor	Johns	Rawls
Bishop	Davis	Johnson	Rood
Boyd	Dickinson	Kelly	Stenstrom
Brackin	Eaton	Kickliter	Stratton
Branch	Edwards	Knight	Sutton
Bronson	Gautier	Morgan	
Cabot	Getzen		

Nays—None.

So Senate Bill No. 81-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Sutton—

S. B. No. 62-X(57)—A bill to be entitled An Act relating to sheriffs of counties in the state having a population not less than one hundred fourteen thousand nine hundred (114,900) nor more than one hundred twenty thousand (120,000) according to the last official state-wide census; amending Chapter 30, Florida Statutes, by directing the sheriffs of such counties to charge a fixed non-refundable fee for service of process; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 62-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Carraway—

S. B. No. 59-X(57)—A bill to be entitled An Act relating to compensation of members of interim committees, amending Section 11.13, Subsection (3), Paragraph (a), Florida Statutes; providing effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 59-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Carraway—

S. B. No. 57-X(57)—A bill to be entitled An Act amending Chapter 57-170, creating a special committee to be known as the Agriculture Service Committee; amending Section 1, Subsection (3); providing effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 57-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Carraway—

S. B. No. 58-X(57)—A bill to be entitled An Act relating to the state auditing department; amending Subsection (5) of Section 21.011, Florida Statutes, relating to expenses of members of the auditing committee; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 58-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Kickliter—

S. B. No. 53-X(57)—A bill to be entitled An Act relating to county water systems and sanitary sewers; amending Subsections (5) and (8) of Section 153.03, Florida Statutes, by providing a procedure for the exercise of the right of eminent domain.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 53-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 8, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Brackin—

S. B. No. 63-X(57)—A bill to be entitled An Act relating to assistant county attorneys in all counties of the state having a population of not less than eighteen thousand five hundred (18,500) and not more than twenty thousand (20,000), according to the latest state-wide federal decennial census; providing effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 63-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 8, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Stratton—

S. B. No. 68-X(57)—A bill to be entitled An Act relating to the Charter of the Town of Hilliard, Florida; amending Sections 6, 18, and 27, of Chapter 24561, Laws of Florida, Special Acts of 1947; said amendments relating to powers and duties of officers of said town; and providing for referendum to make said act effective; repealing Chapter 57-1376, Laws of Florida, Special Acts, 1957.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 68-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 8, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senators Shands, Hodges, Adams and Johns—

S. B. No. 61-X(57)—A bill to be entitled An Act providing for an additional assistant state attorney for the Eighth (8th) Judicial Circuit of Florida; prescribing the powers, duties and salary of such additional assistant state attorney and providing for the payment of such salary from the state treasury; fixing the term of office of such additional assistant state attorney and providing that such term shall expire with the term of office of the state attorney for said circuit; providing that after the expiration of the term of office being served by the assistant state attorney now holding office in said circuit, all future terms of said office shall expire with the terms of office of the state attorney for said circuit; and prescribing the effective date hereof.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 61-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 8, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Mr. Maness of Duval—

H. B. No. 78-X—A bill to be entitled An Act relating to compulsory school attendance and child welfare; amending Section 232.19, Subsections (1) and (6) (a), Florida Statutes; providing for penalties; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 78-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, was read the first time by title only, and referred to the Committee on Education.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted

for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Ryan of Broward, Roberts of Palm Beach and Herrell of Dade—

H. B. No. 93-X—A bill to be entitled An Act to define criminal sexual psychopathic persons and to provide for the commitment of such persons and the procedure therefor.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 93-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Eaton moved that the rules be waived and House Bill No. 93-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 93-X was read the second time by title only.

Senator Eaton moved that the rules be further waived and House Bill No. 93-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 93-X was read the third time in full.

Upon the passage of House Bill No. 93-X the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Hair	Pearce
Adams	Carraway	Hodges	Pope
Beall	Clarke	Houghton	Rawls
Belser	Connor	Johns	Rood
Bishop	Davis	Johnson	Stenstrom
Boyd	Dickinson	Kelly	Stratton
Brackin	Eaton	Kicklitter	Sutton
Branch	Edwards	Knight	
Bronson	Gautier	Morgan	
Cabot	Getzen	Neblett	

Nays—None.

So House Bill No. 93-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Eaton moved that the House of Representatives be respectfully requested to return Senate Bill No. 60-X(57) to the Senate.

Which was agreed to and it was so ordered.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has adopted—

By Mr. Petersen of Pinellas—

House Memorial No. 64-X—A Memorial to the Congress

of the United States of America urging them to submit a constitutional amendment permitting school integration optional on a state basis.

WHEREAS, there exists a divergence of opinion among a wide segment of United States citizens as to the constitutionality of the May 17, 1954, decree of the United States Supreme Court, holding the doctrine of separate but equal schools unconstitutional; and

WHEREAS, the area of human relationship between the races is of such vital importance to all the citizens of the United States; and

WHEREAS, it is imperative that this issue be resolved in a peaceful manner within our constitutional framework so that threatened resistance, riots and bloodshed be prevented; and

WHEREAS, the continued use of military forces can only heighten the possibility of conflict between these forces and the citizenry and also between the races, and

WHEREAS, the people of these United States can resolve this issue through their representation in the United States Congress and the respective state legislatures,

Therefore, be it resolved that the Florida legislature herewith petitions the Congress of these United States to draft a suitable constitutional amendment allowing the resolving of the school integration issue on a state option basis.

Be it further resolved that copies of this memorial be transmitted forthwith by the Chief Clerk of the House and the Secretary of the Senate of the State of Florida to the President of the United States, members of the United States Supreme Court, and the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to each of the congressional delegation in the United States Congress, and to each of the Governors, Secretaries of State, and Attorneys General of the several states.

Be it further resolved that a copy of this memorial be spread upon the journal of both the Senate and House of Representatives of the State of Florida, and sufficient copies thereof be furnished to the press.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Memorial No. 64-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Memorial was admitted for introduction and consideration by the Senate, and was read the first time in full.

Senator Johns moved that the rules be waived and House Memorial No. 64-X be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Memorial No. 64-X was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 64-X was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 8, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Moody of Hillsborough, Alexander of Liberty, Anderson of Jefferson, Askins of Nassau, Ayers of Hernando, Bartholomew of Sarasota, Beasley of Walton, Beck of Putnam, Blank of Palm Beach, Chappell of Marion, Cleveland of Seminole, Conner of Bradford, Costin of Gulf, Crews of Baker, Cross of Alachua, Daniel of Lake, Frederick of Seminole, Gibbons of Hillsborough, Griffin of Polk, Griffin of Osceola, Grimes of Manatee, Hathaway of Charlotte, Hollahan of Dade, Horne of Leon, Inman of Orange, Inman of Gadsden, Kimbrough of Santa Rosa, Lancaster of Gilchrist, Livingston of Highlands, Maness of Duval, Manning of Holmes, Marshburn of Levy, Mathews of Duval, McAlpin of Hamilton, Mitchell of Washington, Muldrew of Brevard, Musselman of Broward, O'Neill of Marion, Peavy of Madison, Peters of Calhoun, Petersen of Pinellas, Pratt of Manatee, Putnal of Lafayette, Roberts of Union, Roberts of Palm Beach, Roberts of Suwannee, Rowell of Sumter, Rowell of Martin, Russ of Wakulla, Ryan of Broward, Saunders of Clay, Shaffer of Pinellas, Sheppard of Lee, Shipp of Jackson, Smith of DeSoto, Stewart of Okaloosa, Stone of Escambia, Strickland of Citrus, Surlis of Polk, Sweeny of Volusia, Turlington of Alachua, Usina of St. Johns, Wadsworth of Flagler, Walker of Collier, Weinstein of St. Johns, Westberry of Duval, Williams of Columbia, Williams of Pasco, Wise of Okaloosa, Zelmanovitz of Okeechobee and Mrs. Patton of Franklin.

H. B. No. 111-X—A bill to be entitled An Act relating to the public schools of Florida; providing for the automatic closing and suspension of operation of any public school in the state upon the employ of federal troops in the vicinity of said school for certain purposes; providing certain powers and duties of county boards of public instruction in connection with such closing of schools; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 111-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Hodges moved that the rules be waived and House Bill No. 111-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 111-X was read the second time by title only.

Senator Hodges moved that the rules be further waived and House Bill No. 111-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 111-X was read the third time in full.

Upon the passage of House Bill No. 111-X the roll was called and the vote was:

Yeas—36.

Mr. President	Branch	Davis	Hodges
Adams	Bronson	Dickinson	Johns
Beall	Cabot	Eaton	Johnson
Belser	Carlton	Edwards	Kelly
Bishop	Carraway	Gautier	Kickliter
Boyd	Clarke	Knight	
Brackin	Connor	Hair	Morgan

Neblett	Pope	Rood	Stratton
Pearce	Rawls	Stenstrom	Sutton

Nays—1.

Houghton

So House Bill No. 111-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

Committee Substitute for House Joint Resolution No. 11-X:
—A Joint Resolution proposing revision of Article IV of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE
STATE OF FLORIDA:

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV

EXECUTIVE

Section 1. **Governor—chief executive—commander-in-chief—grants—commissions.**—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. **Governor—message to legislature.**—At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. **Governor—suspensions—filling office during suspensions.**—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension, and such evidence as the officer may desire to offer in his defense, shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it sustains the suspension or fails to act or postpone consideration before adjourning, the officer shall be removed from office as of the date of the original order of suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. **Cabinet — membership — lieutenant governor — election—term—qualifications.**—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comp-

troller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. There shall be a Lieutenant Governor, who shall be an executive officer and shall perform the duties prescribed herein. Each cabinet member and the lieutenant governor shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten immediately preceding years shall have been a citizen and resident of the state. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor may form a joint candidacy. No person who has become governor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

Section 5. Cabinet—duties as board of commissioners of state institutions.—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. Appointment of directors—reports.—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) Pardon board—application for pardon.—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) Governor—reprieves—remissions or suspensions of fines.—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) Parole commission.—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. Advisory opinions of justices.—The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. Succession to office of governor—service as acting governor.—The lieutenant governor shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the term.

Upon written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive for the time therein limited.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that such physical incapacity has ceased.

Section 10. Secretary of state—duties.—The secretary of state shall keep the records of official acts of the legislative and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. Attorney general—duties.—The attorney general shall be an attorney at law and the legal advisor to each officer of the state executive branch.

Section 12. Comptroller—duties.—The comptroller shall examine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. Treasurer—duties.—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor.

Section 14. Superintendent of education—duties.—The state superintendent of education shall supervise the public school system according to law.

Section 15. Commissioner of agriculture — duties.—The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. Game and fresh water fish commission—duties — membership — director — powers — licenses — penalties — state game fund.—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall receive travel and per diem allowances and may receive compensation as provided by law.

(b) The cabinet shall appoint and at pleasure remove a Director, who shall be the executive head of the commission. He shall, subject to approval by the cabinet, appoint, fix the salaries of, and discharge the assistants and employees of the commission and shall exercise other powers and perform other duties prescribed by the cabinet. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

(e) Funds derived from the operation of the commission

and from license taxes authorized by this section, and all other funds appropriated or provided from any source for the purposes comprehended by it, shall constitute the State Game Fund and shall be used exclusively by the commission and solely for the purposes provided in this section. Unless otherwise authorized by law the commission shall not incur any obligations exceeding the current amount of the fund.

Section 17. Conservation of salt water fish, shellfish, and products.—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. Railroad and public utilities commission.—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up in its order and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Committee Substitute for House Joint Resolution No. 11-X:

In Section 3, page 2, line 19 (printed bill), strike out the word "adjourning" and insert in lieu thereof the following "adjourning"

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Committee Substitute for House Joint Resolution No. 11-X:

In Section 7, Subsection (b) line 4 (printed bill), strike out the period after the word "treason" and add the following "and impeachment."

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered the following amendment to Committee Substitute for House Joint Resolution No. 11-X:

In Section 16, (printed bill), strike out all of subsection (e) and insert in lieu thereof the following:

(e) Rules and Regulations of the commission may be amended or repealed by general law of statewide application or of application throughout a district or districts established pursuant hereto, but not by any law based on population.

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rawls moved that the rules be waived and Committee Substitute for House Joint Resolution No. 11-X, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 11-X, as amended, was read the third time in full, as follows:

Committee Substitute for House Joint Resolution No. 11-X—

A Joint Resolution proposing revision of Article IV of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV

EXECUTIVE

Section 1. Governor—chief executive—commander-in-chief—grants—commissions.—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. Governor—message to legislature.—At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. Governor—suspensions—filling office during suspensions.—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension, and such evidence as the officer may desire to offer in his defense, shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified

copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it sustains the suspension or fails to act or postpone consideration before adjourning the officer shall be removed from office as of the date of the original order of suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. Cabinet—membership—lieutenant governor—election—term—qualifications.—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. There shall be a Lieutenant Governor, who shall be an executive officer and shall perform the duties prescribed herein. Each cabinet member and the lieutenant governor shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten immediately preceding years shall have been a citizen and resident of the state. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor may form a joint candidacy. No person who has become governor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

Section 5. Cabinet—duties as board of commissioners of state institutions.—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. Appointment of directors—reports.—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) Pardon board—application for pardon.—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) Governor—reprieves—remissions or suspensions of fines.—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason and impeachment. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) Parole commission.—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. Advisory opinions of justices.—The governor may

request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. Succession to office of governor—service as acting governor.—The lieutenant governor shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the term.

Upon written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive for the time therein limited.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members. and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that such physical incapacity has ceased.

Section 10. Secretary of state—duties.—The secretary of state shall keep the records of official acts of the legislative and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. Attorney general—duties.—The attorney general shall be an attorney at law and the legal advisor to each officer of the state executive branch.

Section 12. Comptroller—duties.—The comptroller shall examine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. Treasurer—duties.—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor.

Section 14. Superintendent of education—duties.—The state superintendent of education shall supervise the public school system according to law.

Section 15. Commissioner of agriculture—duties.—The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. Game and fresh water fish commission—duties—membership—director—powers—licenses—penalties—state game fund.—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall

receive travel and per diem allowances and may receive compensation as provided by law.

(b) The cabinet shall appoint and at pleasure remove a Director, who shall be the executive head of the commission. He shall, subject to approval by the cabinet, appoint, fix the salaries of, and discharge the assistants and employees of the commission and shall exercise other powers and perform other duties prescribed by the cabinet. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

(e) Rules and Regulations of the commission may be amended or repealed by general law of statewide application or of application throughout a district or districts established pursuant hereto, but not by any law based on population.

Section 17. Conservation of salt water fish, shellfish, and products.—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. Railroad and public utilities commission.—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint Resolution No. 11-X, as amended, the roll was called and the vote was:

Yeas—32.

Mr. President	Cabot	Edwards	Knight
Adams	Carlton	Getzen	Morgan
Beall	Carraway	Hair	Neblett
Bishop	Clarke	Hodges	Pearce
Boyd	Connor	Johns	Rawls
Brackin	Davis	Johnson	Stenstrom
Branch	Dickinson	Kelly	Stratton
Bronson	Eaton	Kickliter	Sutton

Nays—4.

Belser	Houghton	Pope	Rood
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So Committee Substitute for House Joint Resolution No. 11-X passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

EXPLANATION OF VOTE

The following Explanation of Vote was filed with the Secretary:

I am not convinced that the Reapportionment Article of Constitutional Revision is an improvement. I have voted for same in order to allow the voters to express themselves and in the hope that the House of Representatives might amend the same. I reserve the right to oppose its final adoption when it is submitted to the voters.

Verle A. Pope
31st Senatorial District

Senator Johnson moved that the rules be waived and House Joint Resolution No. 18-X be withdrawn from the Committee on Constitutional Amendments and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Johnson requested unanimous consent of the Senate to take up and consider House Joint Resolution No. 18-X, out of its order.

Unanimous consent was granted, and—

House Joint Resolution No. 18-X—A Joint Resolution proposing revision of Article XIV of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XIV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XIV

SPECIAL PROVISIONS

Section 1. Cities of Jacksonville and Key West.—Subject to vote of the county electors the legislature may establish or abolish, and without such vote may amend the laws governing, two municipalities, to be named the City of Jacksonville and the City of Key West, extending respectively throughout the present territory of Duval and Monroe Counties, superseding all governmental agencies therein, and succeeding to the ownership of all property thereof and of municipalities therein. Subject to the provisions hereof governing special and local laws other than provisions relating to jurisdiction and duties of any class of officers, summoning and empanelling of grand and petit juries, assessment and collection of taxes for county purposes, and regulation of fees and compensation of county officers, the legislature may prescribe the functions, powers, and jurisdiction of each municipality, may divide it into districts, may determine what portion of it is rural and subject to the limitations on rural homestead realty, and may prescribe the system of taxation and liabilities of the municipality and its districts; provided, upon establishment of each municipality the respective properties taxable for debts then existing shall be solely liable therefor.

Each municipality may exercise all municipal powers herein granted and shall perform all functions and enjoy all powers and privileges of a county, including representation in the legislature. County offices shall not be abolished or consolidated without providing for performance of state functions assigned thereto. The legislature shall not abolish the offices of clerk of the circuit court and sheriff but may prescribe special methods and times of filling them.

Section 2. Dade County home rule.—(1) The electors of Dade County are granted power to adopt, revise, and amend from time to time a home rule charter of government for Dade County, under which the board of county commissioners of Dade County shall be the governing body. This charter:

(a) Shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms and compensation of the commissioners, and their method of election.

(b) May grant full power and authority to the board of county commissioners of Dade County to pass ordinances relating to the affairs, property, and government of Dade County and provide suitable penalties for the violation thereof; to levy and collect such taxes as may be authorized by general law and no other taxes, and to do everything necessary to carry on a central metropolitan government in Dade County.

(c) May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County, whether such governmental units are created by the constitution or the legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the county school board of Dade County.

(d) May provide a method by which any and all of the functions or powers of any municipal corporation or other governmental unit in Dade County may be transferred to the board of county commissioners of Dade County.

(e) May provide a method for establishing new municipal corporations, special taxing districts, and other governmental units in Dade County from time to time and provide for their government and prescribe their jurisdiction and powers.

(f) May abolish and may provide a method for abolishing from time to time all county offices provided herein or by the legislature except the county school superintendent and may provide for the consolidation and transfer of the functions of such offices, provided, however, that there shall be no power to abolish or impair the jurisdiction of the circuit court or to abolish any other court provided for by this constitution or by general law, or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses against ordinances passed by the board of county commissioners of Dade County and none of the other courts provided for by this constitution or by general law shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts, and provided further that if said home rule charter shall abolish any county office or offices as authorized in this section, that said charter shall contain adequate provision for the carrying on of all functions of said office or offices as are now or may hereafter be prescribed by general law.

(g) Shall provide a method by which each municipal corporation in Dade County shall have the power to make, amend or repeal its own charter. Upon adoption of this home rule charter by the electors this method shall be exclusive and the legislature shall have no power to amend or repeal the charter of any municipal corporation in Dade County.

(h) May change the name of Dade County.

(i) Shall provide a method for the recall of any commissioner and a method for initiative and referendum, including the initiation of and referendum on ordinances and the amendment or revision of the home rule charter, provided, however, that the power of the governor and senate relating to the suspension and removal of officers provided for here-

in shall not be impaired, but shall extend to all officers provided for in said home rule charter.

(2) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.

(3) This home rule charter shall be prepared by a Metropolitan Charter Board created by the legislature and shall be presented to the electors of Dade County for ratification or rejection in the manner provided by the legislature. Until a home rule charter is adopted the legislature may from time to time create additional charter boards to prepare charters to be presented to the electors of Dade County for ratification or rejection in the manner provided by the legislature. Such charter, once adopted by the electors, may be amended only by the electors of Dade County and this charter shall provide a method for submitting future charter revisions and amendments to the electors of Dade County.

(4) The county commission shall continue to receive its pro rata share of all revenues payable by the state from whatever source to the several counties and the state shall pay to the commission all revenues which would have been paid to any municipality in Dade County which may be abolished by or in the method provided by this home rule charter; provided, however, the commission shall reimburse the state comptroller for the expense incurred if any, in the keeping of separate records to determine the amounts of money which would have been payable to any such municipality.

(5) Nothing in this section shall limit or restrict the power of the legislature to enact general laws which shall relate to Dade County and any other one or more counties or to any municipality in Dade County and any other one or more municipalities of the state, and the home rule charter provided for herein shall not conflict with any provision hereof or of any applicable general laws now applying to Dade County and any other one or more counties except as expressly authorized in this section, nor shall any ordinance enacted pursuant to said home rule charter conflict with this constitution or any such applicable general law except as expressly authorized in this section, nor shall the charter of any municipality in Dade County conflict with this constitution or any such applicable general law except as expressly authorized in this section, provided however that said charter and said ordinances enacted in pursuance thereof may conflict with, modify or nullify any existing local, special or general law applicable only to Dade County.

(6) Nothing in this section shall be construed to limit or restrict the power of the legislature to enact general laws which shall relate to Dade County and any other one or more counties or to any municipality in Dade County and any other one or more municipalities relating to county or municipal affairs and all such general laws shall apply to Dade County and to all municipalities therein to the same extent as if this section had not been adopted and such general laws shall supersede any part or portion of the home rule charter provided for in this section in conflict therewith and shall supersede any provision of any ordinance enacted pursuant to said charter and in conflict therewith, and shall supersede any provision of any charter of any municipality in Dade County in conflict therewith.

(7) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the railroad and public utilities commission or of any other state agency, bureau or commission now or hereafter provided for herein or by general law and said state agencies, bureaus and commissions shall have the same powers in Dade County as shall be conferred upon them in regard to other counties.

(8) If any section, subsection, sentence, clause or provision of this section is held invalid as violative of the provisions hereof relating to amendments the remainder of this section shall not be affected by such invalidity.

(9) It is declared to be the intent of the legislature and of the electors of the state to provide by this section home rule for the people of Dade County in local affairs and this section shall be liberally construed to carry out such purpose, and it is further declared to be the intent of the legislature and of the electors of the state that the provisions hereof and of general laws which shall relate to Dade County and

any other one or more counties of the state or to any municipality in Dade County and any other one or more municipalities of the state enacted pursuant thereto by the legislature shall be the supreme law in Dade County, except as expressly provided in this section and this section shall be strictly construed to maintain such supremacy hereof and of the legislature in the enactment of general laws pursuant hereto.

Section 3. Assessment and collection of taxes in certain counties.—In Broward, Hillsborough, Monroe, Pinellas, Saint Lucie, and Volusia Counties the county tax assessor shall assess all property therein upon which ad valorem taxes are levied by the county or any other taxing authority, and the county tax collector of each of these counties except Monroe shall collect all taxes; provided, no law relating thereto shall become effective in Saint Lucie until approved by vote of the electors, and in Broward the county tax assessor and county tax collector shall respectively assess and collect the taxes of only those municipalities that by ordinance so request. The legislature shall prescribe additional compensation corresponding to the additional functions performed.

Section 4. Consolidation of county offices and transfer of municipal tax functions—Orange County.—The Legislature may provide for creation, abolition, or consolidation of any Orange County offices except judicial offices or for assessment or collection of municipal taxes and assessments by the county tax officers and distribution of the proceeds to the municipal authorities; provided, additional compensation for performance of additional tax functions shall be provided, and the law shall be subject to approval by county referendum held within ninety days of its enactment and after publication of notice in a newspaper of general circulation once in each of the four weeks immediately preceding the election. Laws so approved relating respectively to municipal tax assessment or collection and to creation or consolidation of county offices shall respectively take effect on the first of the year following the referendum and on the first Tuesday after the first Monday of the year following the first United States presidential election held after the referendum.

Section 5. Appointment of county school superintendent in certain counties.—Upon authorization by local law or by vote of the county electors at a special election called by the board of county commissioners upon request by the county school board and held within sixty days of receipt thereof, the county school board of Dade, Duval, Pinellas, and Sarasota Counties shall appoint the county school superintendent, and not less than four years after such authorization the county may by either method revoke it.

Section 6. Escambia County fees.—All charges collected by the officers of Escambia County shall be paid into its general fund and disbursed as provided by law, and the compensation and expenses of its officers shall be provided for by local law.

Section 7. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV and VI through XIII. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of

all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up and read the second time in full.

Senator Johnson moved that the rules be waived and House Joint Resolution No. 18-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 18-X was read the third time in full.

Upon the passage of House Joint Resolution No. 18-X the roll was called and the vote was:

Yeas—33.

Mr. President	Carlton	Getzen	Neblett
Adams	Carraway	Hair	Pearce
Beall	Clarke	Hodges	Pope
Bishop	Connor	Johns	Rawls
Boyd	Davis	Johnson	Stenstrom
Brackin	Dickinson	Kelly	Sutton
Branch	Eaton	Kickliter	
Bronson	Edwards	Knight	
Cabot	Gautier	Morgan	

Nays—2.

Belser Houghton

So House Joint Resolution No. 18-X passed by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Johnson moved that Committee Substitute for House Joint Resolution No. 31-X be withdrawn from the Committee on Constitutional Amendments and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Johnson requested unanimous consent of the Senate to take up and consider Committee Substitute for House Joint Resolution No. 31-X, out of its order.

Unanimous consent was granted, and—

Committee Substitute for House Joint Resolution No. 31-X—A Joint Resolution proposing revision of Article XIII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XIII

SCHEDULE

Section 1. Constitution — effective date — short title.—This constitution shall take effect at noon, eastern standard time, on the sixtieth day after its adoption, and as adopted and as thereafter amended, together with Article V of the constitution of 1885 as amended, shall bear the short title: Florida Constitution of 1958. When the Preamble and Articles

I through IV and VI through XIV hereof become effective all articles of the constitution of 1885 except Article V shall be superseded thereby and are repealed as of that date.

Section 2. Existing laws, legal rights, and liabilities—continuance.—All laws, regulations, ordinances, and rules of court not in conflict herewith shall continue in force until repealed or amended. Unless otherwise provided herein, no existing judgment, decree, writ, action, cause of action, prosecution, contract, claim, charter, franchise, or other existing right or liability shall be affected hereby.

Section 3. First elections—continuance of incumbents.—Except as provided herein for special elections and for election of legislators in the first legislature hereunder, the first elections hereunder shall be at the first general election after this constitution takes effect. Each person holding public office at the adoption hereof shall continue therein for the remainder of the term for which elected; provided, at the effective date hereof the board of public instruction in each county shall become the county school board hereunder, the school district trustees and special tax school district trustees shall cease to hold office, and their duties not inconsistent herewith shall be performed by the county school board.

Section 4. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up and read the second time in full.

Senator Johnson moved that the rules be waived and Committee Substitute for House Joint Resolution No. 31-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 31-X was read the third time in full.

Upon the passage of Committee Substitute for House Joint Resolution No. 31-X the roll was called and the vote was:

Yeas—34.

Mr. President	Bishop	Branch	Carlton
Adams	Boyd	Bronson	Carraway
Beall	Brackin	Cabot	Clarke

Connor	Getzen	Kicklitter	Rawls
Davis	Hair	Knight	Stenstrom
Dickinson	Hodges	Morgan	Stratton
Eaton	Johns	Neblett	Sutton
Edwards	Johnson	Pearce	
Gautier	Kelly	Pope	

Nays—2.

Belser Houghton

So Committee Substitute for House Joint Resolution No. 31-X passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Johnson moved that House Joint Resolution No. 9-X, with pending Senate Amendments thereto, be withdrawn from the Committee on Constitutional Amendments.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Johnson requested unanimous consent of the Senate to take up and consider House Joint Resolution No. 9-X, together with pending Senate Amendments thereto, out of its order.

Unanimous consent was granted, and—

House Joint Resolution No. 9-X—A Joint Resolution proposing revision of Article I of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article I of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE I

DECLARATION OF RIGHTS

Section 1. Political power—government.—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. Equality—inalienable rights—property rights of foreigners.—All persons, including foreigners eligible to become citizens of the United States, are equal before the law and have inalienable rights. Among these are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property; but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

Section 3. Religious freedom.—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

Section 4. Freedom of speech and press.—Every person may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 5. Assembly—petition.—The people may assemble peaceably to consult for the common good, may instruct

their representatives, and may petition for redress of grievances.

Section 6. Right to work—collective bargaining.—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Section 7. Right to bear arms.—Every person may keep and bear arms in defense of his home, person, property, and the lawful authority of the state, but the legislature may prescribe the manner of bearing them.

Section 8. Searches and seizures.—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and particularly describing the place to be searched and the person or thing to be seized.

Section 9. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Section 10. Condemnation—preliminary taking.—Private property shall not be taken without full compensation determined by a jury of twelve. Interim possession may be obtained after commencement of suit upon securing payment by deposit of money, an equitable part of which shall be released upon application of the party entitled. Benefits resulting from improvements proposed to be made by an individual or a private or public corporation, except a governmental corporation when acquiring a road right of way, shall not be applied in reduction of compensation. The legislature may provide for drainage of private land over or through that of another upon payment of full compensation.

Section 11. Attainder—ex post facto law—impairment of contract.—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 12. Indictment—information—plea—sentence.—No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 13. Habeas corpus.—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 14. Bail.—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 15. Jury trial—rights of accused.—The right of trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 16. Excessive fines—cruel punishment—attainder—

detention of witnesses.—Excessive fines, cruel or unusual punishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 17. Involuntary servitude—imprisonment for debt.—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 18. Penalties imposed by administrative agencies.—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. Treason.—Treason against the state consists only of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. Military subordinate to civil—quartering.—The military power is in strict subordination to the civil. No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

Section 21. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles II, III, IV, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up, together with the following Senate Amendments to House Joint Resolution No. 9-X—

Which amendments read as follows:

Amendment No. 1—

In Section 10, lines 8, 9 and 10 (printed bill), strike out the words: “, except a governmental corporation when acquiring a road right of way,”

Amendment No. 2—

In Section 10, line 10 (printed bill), change the period at the end of the sentence to a semi-colon and add the following: “provided, that a governmental agency acquiring road rights of way may off-set benefits resulting from proposed improvements against severance damages to property not taken.”

Senator Johnson moved that the Senate do not recede from Senate Amendment No. 1 to House Joint Resolution No. 9-X.

Which was agreed to and the Senate refused to recede from Senate Amendment No. 1 to House Joint Resolution No. 9-X.

Senator Johnson moved that the Senate do not recede from Senate Amendment No. 2 to House Joint Resolution No. 9-X.

Which was agreed to and the Senate refused to recede from Senate Amendment No. 2 to House Joint Resolution No. 9-X.

Senator Johnson moved that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House of Representatives to confer with a like Committee to be appointed by the President on the part of the Senate to adjust the differences between the Senate and the House of Representatives on Senate Amendments Nos. 1 and 2 to House Joint Resolution No. 9-X.

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Johnson moved that the rules be waived and House Joint Resolution No. 32-X be withdrawn from the Committee on Constitutional Amendments and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Johnson requested unanimous consent of the Senate to take up and consider House Joint Resolution No. 32-X, out of its order.

Unanimous consent was granted, and—

H. J. R. No. 32-X—A Joint Resolution proposing revision of Section 1 of Article XVII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The legislature finds as a fact:

(a) that the interlocking details and the framework of the constitutional amendments contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat;

(b) that the constitutional amendment proposed in each of said fourteen joint resolutions should not become effective unless the electors adopt all of said fourteen proposed amendments at the same election;

(c) that ballots for voting upon said fourteen proposed amendments at the same election should be prepared in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them;

(d) that upon rejection of one or more of said fourteen proposed amendments each of them should by its terms not become effective; and

(e) that an amendment procedure designed to accomplish the foregoing objectives should be clearly provided by amending the article of the Constitution of the State of Florida relating to the amending process.

Section 2. The following amendment repealing and superseding Section 1 of Article XVII of the Constitution of the State of Florida is hereby agreed to and shall be submitted to the electors of the state at an election to be provided for at this session of the legislature, that is to say:

Section 1. **Method of amending constitution.**—Either branch of the Legislature, at any regular session, or at any special or extraordinary session thereof called for such purpose either in the governor's original call or any amendment thereof, may propose the revision or amendment or revisions or amendments of any portion or portions of this Constitution. Any such revision or revisions or amendment or amendments may relate to one subject or any number of subjects, but no amend-

ment shall consist of more than one revised article of the Constitution, except as hereinafter provided.

If the proposed revision or revisions or amendment or amendments are agreed to by three-fifths of the members elected to each house, they shall be entered upon the respective journals with the yeas and nays and published in one newspaper in each county where a newspaper is published for two times, one publication to be made not earlier than ten weeks and the other not later than six weeks, immediately preceding the election at which the same are to be voted upon, and thereupon submitted to the electors of the State for approval or rejection at the next general election, provided, however, that such revision or revisions or amendment or amendments may be submitted for approval or rejection in a special election under the conditions described in and in the manner provided by Section 3 of Article XVII of this Constitution. If a majority of the electors voting upon the amendment or amendments adopt such amendment or amendments the same shall become a part of the Constitution, provided, however, that when the Legislature submits more than one proposed revised article of the Constitution to be voted upon in the same election, any such proposed revised article may provide that it shall not become effective unless other specified proposed revised articles are approved by the electors at such election, and in such case none of such proposed revised articles shall become a part of the Constitution unless all of them are approved.

This amendment shall be effective as of October 1, 1957, and when the proposed amendment constituting Article XII of the revised Constitution becomes effective this amendment shall be superseded by it and repealed.

Was taken up and read the second time in full.

Senator Johnson moved that the rules be waived and House Joint Resolution No. 32-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 32-X was read the third time in full.

Upon the passage of House Joint Resolution No. 32-X the roll was called and the vote was:

Yeas—34.

Mr. President	Carlton	Getzen	Neblett
Adams	Carraway	Hair	Pearce
Beall	Clarke	Hodges	Pope
Bishop	Connor	Johns	Rawls
Boyd	Davis	Johnson	Stenstrom
Brackin	Dickinson	Kelly	Stratton
Branch	Eaton	Kickliter	Sutton
Bronson	Edwards	Knight	
Cabot	Gautier	Morgan	

Nays—3.

Belser	Houghton	Rood
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So House Joint Resolution No. 32-X passed by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Rawls moved that the rules be waived and Committee Substitute for House Joint Resolution No. 30-X be withdrawn from the Committee on Constitutional Amendments and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Rawls requested unanimous consent of the Senate to take up and consider Committee Substitute for House Joint Resolution No. 30-X, out of its order.

Unanimous consent was granted, and—

Committee Substitute for House Joint Resolution No. 30-X—A Joint Resolution proposing revision of Article XII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII
AMENDMENTS

Section 1. **Amendment pursuant to legislative action.**—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

- (1) It shall forthwith be entered in full on the journal of the house in which introduced.
- (2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.
- (3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.
- (4) The resolution shall not be subject to veto.

Section 2. **Submission to electors.**—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. **Effective date — approval by electors.**—If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. **Revision by convention.**—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to prepare and adopt a revision. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own

organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The revision as proposed by the convention shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after its adoption by the convention, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election. The secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. **Effective date—approval by electors.**—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Committee Substitute for House Joint Resolution No. 30-X:

In Article XII, Section 1, Subsection (3), Line 4, (printed bill), After the period following the word "house", strike out remainder of said subsection, and insert in lieu thereof the following: "Amendments thereto shall require a three-fifths majority of those voting thereon, and final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted."

Senator Rawls moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Constitutional Amendments also offered

the following amendment to Committee Substitute for House Joint Resolution No. 30-X:

In Article XII, Section 4, (printed bill), strike out the first sentence in the second paragraph of said section, and insert in lieu thereof the following: "The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election."

Senator Rawls moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Rawls the vote was:

Yeas—23.

Mr. President	Branch	Edwards	Knight
Adams	Bronson	Getzen	Morgan
Beall	Carraway	Hair	Pearce
Belser	Clarke	Hodges	Rawls
Bishop	Connor	Johns	Stratton
Brackin	Davis	Johnson	

Nays—13.

Boyd	Eaton	Neblett	Sutton
Cabot	Houghton	Pope	
Carlton	Kelly	Rood	
Dickinson	Kicklitter	Stenstrom	

So the amendment was adopted.

Senator Rawls moved that the rules be waived and Committee Substitute for House Joint Resolution No. 30-X, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 30-X, as amended, was read the third time in full, as follows:

Committee Substitute for House Joint Resolution No. 30-X—A Joint Resolution proposing revision of Article XII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII

AMENDMENTS

Section 1. **Amendment pursuant to legislative action.**—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider

it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Amendments thereto shall require a three-fifths majority of those voting thereon, and final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

(4) The resolution shall not be subject to veto.

Section 2. **Submission to electors.**—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. **Effective date—approval by electors.**—If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. **Revision by convention.**—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to prepare and adopt a revision. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election. The secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. **Effective date—approval by electors.**—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint Resolution No. 30-X, as amended, the roll was called and the vote was:

Yeas—23.

Mr. President	Bronson	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Johns	Rawls
Brackin	Davis	Johnson	Stratton
Branch	Edwards	Knight	

Nays—12.

Belser	Carlton	Kelly	Rood
Boyd	Eaton	Kicklitter	Stenstrom
Cabot	Houghton	Pope	Sutton

So Committee Substitute for House Joint Resolution No. 30-X passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Johnson moved that Senate Joint Resolution No. 9-X (57), with pending House Amendments thereto, be withdrawn from the Committee on Constitutional Amendments.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Johnson requested unanimous consent of the Senate to take up and consider Senate Joint Resolution No. 9-X(57), together with pending House Amendments thereto, out of its order.

Unanimous consent was granted, and—

Senate Joint Resolution No. 9-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VII

LOCAL GOVERNMENT

Section 1. Counties—municipalities—special districts—powers and functions.—All powers of local government shall be exercised by counties, municipalities, and special districts, and shall be limited to those delegated herein or by the legislature. They shall also perform such state functions as the legislature may provide.

Section 2. Counties as political subdivisions.—county seats.—The state shall be divided into political subdivisions called counties. The counties and their respective county seats as now established are recognized, and no county seat may be changed except by vote of the electors; provided, in the formation of new counties the county seat may be temporarily established by law.

Section 3. Establishment of new counties.—The legislature shall have power to establish new counties and to change county lines. Every newly established county shall be held liable for its proportion of the then existing liabilities of the county or counties from which it shall be formed, rated upon the basis of the assessed value of the property, both real and personal, subject to taxation within the territory taken from any county or counties; and every county acquiring additional territory from another county shall be held liable for its proportion of the liabilities of such other county existing at the time of such acquisition, to be rated upon the basis of the assessed value of all property subject to taxation within such acquired territory.

Section 4. Location of county offices—public records.—The principal offices and permanent records of all county officers shall be at the county seat; provided, by vote of the electors, branch offices for the conduct of county business and facilities for court proceedings may be established elsewhere in the county. No instrument shall be deemed recorded until filed in the proper office at the county seat.

Section 5. (a) Commissioner districts—decennial revision—county commission.—Each county shall be divided into five commissioner districts numbered consecutively, and its governing body shall be a Board of County Commissioners, consisting of five members, one from each commissioner district. Upon certification of each decennial federal census the board of county commissioners shall forthwith revise the boundaries of the commissioner districts so that according thereto they will be approximately equal in population, giving consideration to geographic area.

(b) County officers—selection—term of office.—The following officers shall be elected by and from among the electors of each county for a term of four years: one member of the board of county commissioners from each commissioner district, one member of the County School Board from each commissioner district unless otherwise provided by law, County Judge or Judges as provided herein, Clerk of the Circuit Court, Sheriff, Tax Assessor, Tax Collector, County School Superintendent, and Supervisor of Registration; provided, by local or general law subject to the approval of the electors of any county, each member of the board of county commissioners and of the county school board shall be elected by and from among the electors of the district within which he resides and qualifies for office. Each member of the board of county commissioners and of the county school board shall reside in the district from which elected. Successors to those members of the board of county commissioners representing odd-numbered districts and of the county school board representing even-numbered districts shall be elected in 1960, and successors to those representing respectively even-numbered districts and odd-numbered districts shall be elected in 1962; provided, succession to county school board membership may be changed by law.

Section 6. Welfare.—Counties shall provide in the manner prescribed by law for residents having claim upon the aid and

sympathy of society by reason of age, infirmity, or misfortune.

Section 7. Alcoholic beverages—county option.—Upon petition of one fourth of the electors of a county the board of county commissioners shall provide for a special election to determine whether sale of all intoxicating beverages shall be prohibited therein or to determine the method of such sale where permitted; and in like manner an election shall be held in a county prohibiting sale to determine whether such prohibition shall be removed. The election shall be held within sixty days from presentation of the petition unless a regular primary or general election falls within such period, in which event it shall be held within sixty days thereafter. Not more than one such election shall be held in any two-year period.

Section 8. Criminal cases—costs and fines.—In all criminal cases prosecuted in the name of the state against an insolvent or discharged defendant, the county in which the case was prosecuted shall under regulations prescribed by law pay the legal costs. All fines and forfeitures collected in each county under the state penal laws shall be applied to payment of costs and expenses of prosecuting crimes therein.

Section 9. Municipalities — establishment — abolition — government — protection of creditors.—The legislature may establish and abolish municipalities, may provide for their government, and may prescribe and alter at any time their jurisdiction and powers. Whenever a municipality is abolished, provision shall be made for the protection of its creditors.

Section 10. Municipal taxes—assessment and collection by county officers.—Subject to approval by vote of the municipal electors at a special election held separately or with any other election the legislature may by general, special, or local law provide for assessment and collection of the taxes of any municipality by the tax assessor and tax collector respectively of the county in which it is situated and for payment by the municipality of reasonable compensation to these county officers for performance of these additional duties.

Section 11. Special districts lying in one county—governing board.—Unless otherwise provided by law, the governing board of special districts lying wholly within a county shall be the board of county commissioners of the county. The legislature may provide by law for the appointment of the governing board by the governor or by the board of county commissioners, or for election thereof by the electors.

Section 12. Special districts lying in more than one county—government.—The legislature by special or local law may create special districts that include territory lying in more than one county and may prescribe their form of government, powers, and duties.

Section 13. Local governmental units — cooperation with other governmental units.—Any local governmental unit may contract and cooperate with other local governmental units, with the state, or with the United States in the exercise of any of its authorized proprietary functions for the planning, development, construction, acquisition, or operation of any public improvement or facility or for a common service.

Section 14. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, and VIII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may

by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up, together with the following House Amendments to Senate Joint Resolution No. 9-X(57)—

Which amendments read as follows:

Amendment No. 1—

In Section 4 of Article VII, strike out all of the section after the caption and insert the following in lieu thereof:

The principal offices and permanent records of all county officers shall be at the county seat; provided, branch offices for the conduct of county business and facilities for court proceedings including jury trials in civil cases may be established by law elsewhere in the county. No instrument shall be deemed recorded until filed at the county seat according to law.

Amendment No. 2—

In Section 5, Sub-section (b) of Article VII strike out: Subsection (b) and insert the following in lieu thereof:

(b) **County officers—selection—term of office.**—The following officers shall be elected by and from among the electors of each county for a term of four years: One member of the board of county commissioners from each commissioner district, one member of the County School Board from each commissioner district unless otherwise provided by law, County Judge or Judges as provided herein, Clerk of the Circuit Court, Sheriff, Tax Assessor, Tax Collector, County School Superintendent except in those counties where he is appointed according to law at the effective date hereof, and Supervisor of Registration; provided, by local or general law subject to the approval of the electors of any county, the county school superintendent shall be appointed by and serve at the pleasure of the county school board, and not less than four years after so providing the county may by the same method provide for his election. Successors to those members of the board of county commissioners representing odd-numbered districts and of the county school board representing even-numbered districts shall be elected in 1960, and successors to those representing respectively even-numbered districts and odd-numbered districts shall be elected in 1962; provided, this method of electing county school board members may be changed by law.

Amendment No. 3—

In Section 12 of Article VII strike out all of the section after the caption and insert the following in lieu thereof:

The legislature by special or local law may for special purposes create special districts that include territory lying in more than one county and may prescribe the composition, powers, and duties of their governing bodies.

Amendment No. 4—

Add the following section at the end of the resolution:

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Amendment No. 5—

After Section 5 of Article VII insert the following as Section 6:

Section 6. County ordinances—legislative grant of authority to enact.—The legislature may by special or local law authorize any board of county commissioners to enact county ordinances. Each law shall specify the subjects to which the ordinances shall be confined. No such law shall conflict with any general law; no ordinance shall conflict with any gen-

eral, special, or local law; and the legislature may amend or repeal any ordinance.

And renumber the remaining sections of the article.

Amendment No. 6—

In Section 5, Sub-section (b) of Article VII as amended, just before the sentence beginning: "Successors to those members of the board of county commissioners representing . . .", insert the following sentence: "In counties having justice districts a Constable shall be elected for a term of four years by and from among the electors of each district."

Senator Johnson moved that the Senate concur in House Amendment No. 1 to Senate Joint Resolution No. 9-X(57).

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Joint Resolution No. 9-X(57).

Senator Johnson moved that the Senate do not concur in House Amendments Nos. 2, 3, 4, 5 and 6 to Senate Joint Resolution No. 9-X(57).

A roll call was demanded.

Upon call of the roll on the motion made by Senator Johnson, the vote was:

Yeas—24.

Mr. President	Branch	Edwards	Kickliter
Adams	Bronson	Getzen	Knight
Beall	Carraway	Hair	Morgan
Belser	Clarke	Hodges	Pearce
Bishop	Connor	Johns	Rawls
Brackin	Davis	Johnson	Stratton

Nays—13.

Boyd	Eaton	Neblett	Sutton
Cabot	Gautier	Pope	
Carlton	Houghton	Rood	
Dickinson	Kelly	Stenstrom	

Which was agreed to and the Senate refused to concur in House Amendments Nos. 2, 3, 4, 5 and 6 to Senate Joint Resolution No. 9-X(57).

Senator Johnson moved that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House of Representatives to confer with a like Committee to be appointed by the President on the part of the Senate to adjust the differences between the Senate and the House of Representatives on House Amendments to Senate Joint Resolution No. 9-X(57).

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Johnson moved that Committee Substitute for House Joint Resolution No. 16-X be withdrawn from the Committee on Constitutional Amendments and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Johnson requested unanimous consent of the Senate to take up and consider Committee Substitute for House Joint Resolution No. 16-X, out of its order.

Unanimous consent was granted, and—

Committee Substitute for House Joint Resolution No. 16-X—A Joint Resolution proposing revision of Article X of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X EDUCATION

Section 1. Uniform system of free public schools and higher

institutions.—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free public schools, and for institutions of higher learning, and may for a period of emergency not to extend beyond the adjournment date for the next regular session of the legislature provide assistance for other non-sectarian schools.

Section 2. State board of education—powers—duties.—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. County school boards—membership—duties.—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund—derivation—use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund—sources—apportionment.—restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other

constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four and one-half ($4\frac{1}{2}$) percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947, in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor ve-

hicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds.—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up and read the second time in full.

The Committee on Constitutional Amendments offered the following amendment to Committee Substitute for House Joint Resolution No. 16-X:

Strike out everything after the resolving clause and insert in lieu thereof the following:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection

at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X

EDUCATION

Section 1. Uniform system of free education, including higher learning.—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free education, including higher learning, as the legislature shall deem proper.

Section 2. State board of education—powers and duties.—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. County school boards—membership—duties.—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund—derivation—use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund—sources—apportionment.—restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenues shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of

Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947 in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the

expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds—issuance—payment—restrictions—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Senator Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnson moved that the rules be waived and Committee Substitute for House Joint Resolution No. 16-X, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 16-X, as amended, was read the third time in full, as follows:

Committee Substitute for House Joint Resolution No. 16-X—A Joint Resolution proposing revision of Article X of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X

EDUCATION

Section 1. Uniform system of free education, including higher learning.—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free education, including higher learning, as the legislature shall deem proper.

Section 2. State board of education—powers and duties.—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. County school boards—membership—duties.—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund—derivation—use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund—sources—apportionment—restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The

amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947 in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by gen-

eral law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen

proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint Resolution No. 16-X, as amended, the roll was called and the vote was:

Yeas—33.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Johns	Rawls
Boyd	Davis	Johnson	Rood
Brackin	Dickinson	Kelly	Stenstrom
Branch	Edwards	Kickliter	Stratton
Bronson	Gautier	Knight	Sutton
Cabot			

Nays—2.

Belser

Houghton

So Committee Substitute for House Joint Resolution No. 16-X passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

House Joint Resolution No. 17-X—A Joint Resolution proposing revision of Article XI of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XI of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XI

MILITIA

Section 1. Composition of militia.—The militia shall be composed of all able-bodied inhabitants of the state that are or have declared their intention to become citizens of the United States; and no person shall because of religious creed or opinion be exempted from military duty except under conditions prescribed by law.

Section 2. Organization — equipping — housing — discipline — safekeeping of arms.—The legislature may provide for organizing, equipping, housing, maintaining, and disciplining the militia of the state, and for the safekeeping of public arms.

Section 3. Officers of militia.—The governor shall appoint all commissioned officers of the militia, including an adjutant general. The appointment of all general officers shall be with the consent of the senate. Officers shall take rank according to the dates of their commissions. The personnel of the state militia, when uniformed, shall wear the uniform prescribed by law.

Section 4. Call by governor. — The governor shall have power to call out the militia to preserve the public peace, to execute the laws of the state, to suppress insurrection, or to repel invasion.

Section 5. Federally recognized national guard.—Whenever a federally recognized national guard exists in the state it shall be sui generis and subject to the lawful orders of the governor, who shall be commander-in-chief. It may be supported and maintained by the state pursuant to the provisions of federal statutes and regulations of the United States department of defense pertaining to organizing, arming, governing, and disciplining it. Its officers, including the adjutant general, shall be appointed, and shall be subject to suspension, dis-

charge, removal, or compulsory retirement, solely on the basis of military proficiency, character, and service determined pursuant to United States department of defense regulations and usages sanctioned by law, and the qualifications of its personnel shall be those prescribed in military regulations of the United States department of defense.

Section 6. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through X, and XII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up in its order and read the second time in full.

Senator Johnson moved that the rules be waived and House Joint Resolution No. 17-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 17-X was read the third time in full.

Upon the passage of House Joint Resolution No. 17-X the roll was called and the vote was:

Yeas—33.

Mr. President	Carlton	Hair	Pearce
Adams	Carraway	Hodges	Rawls
Beall	Clarke	Johns	Rood
Bishop	Connor	Johnson	Stenstrom
Boyd	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Gautier	Morgan	
Cabot	Getzen	Neblett	

Nays—2.

Belser Houghton

So House Joint Resolution No. 17-X passed by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Davis moved that the rules be waived and the time of adjournment be extended for a period of ten minutes.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Rawls moved that the Senate revert to the introduction of Bills.

Which was agreed to by a two-thirds vote and it was so ordered.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

The President submitted to the Senate the question of whether or not the following Resolution should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Rawls—

Senate Resolution No. 82-X(57):

A RESOLUTION DIRECTING THE LEGISLATIVE COUNCIL TO INQUIRE INTO THE FACTS AND CIRCUMSTANCES ATTENDANT TO THE APPROVAL OF THE FOURTEENTH (14th) AMENDMENT AND TO REPORT BACK THESE FACTS TO THE NEXT REGULAR SESSION OF THE FLORIDA LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

Section 1. The President of the Senate and the Legislative Council are hereby directed to make a study and detailed research of the facts and circumstances surrounding the adoption of the Fourteenth (14th) Amendment to the Constitution of the United States by the State of Florida, in order to determine whether or not the approval of this Amendment was constitutionally obtained, in order to determine whether this Amendment was legally ratified by the State of Florida.

Section 2. All facts and circumstances in connection with this study and research shall be reported back to the next regular Session of the Legislature.

And by a two-thirds affirmative vote of the Senate the Resolution was admitted for introduction and consideration by the Senate, and was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 82-X(57) was adopted.

The President submitted to the Senate the question of whether or not the following Bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Branch—

S. B. No. 83-X(57)—A bill to be entitled An Act providing method of distributing race track money allocated for school construction in Liberty County, as provided by Chapter 57-1024, Laws of Florida; providing an effective date.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 83-X(57) when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Branch moved that the rules be waived and Senate Bill No. 83-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83-X(57) was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 83-X(57) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 83-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Belser	Connor	Houghton	Pope
Bishop	Davis	Johns	Rawls
Boyd	Dickinson	Johnson	Rood
Brackin	Eaton	Kelly	Stenstrom
Branch	Edwards	Kickliter	Stratton
Bronson	Gautier	Knight	Sutton
Cabot			

Nays—None.

So Senate Bill No. 83-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President submitted to the Senate the question of whether or not the following Bill should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session:

By Senator Branch—

S. B. No. 84-X(57)—A bill to be entitled An Act to create the Port-Zoning-Development Commission in counties of the State of Florida having a population of more than five thousand five hundred (5,500) and less than six thousand (6,000) according to the latest official census; to provide for the membership of the commission and the purpose, duties, control, organization and powers of said commission, including zoning; to provide for issuing revenue-anticipation certificates and the financing thereof from race track funds; and providing for an advisory council.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Branch moved that the rules be waived and Senate Bill No. 84-X(57) be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84-X(57) was read the second time by title only.

Senator Branch moved that the rules be further waived and Senate Bill No. 84-X(57) be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84-X(57) was read the third time in full.

Upon the passage of Senate Bill No. 84-X(57) the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Belser	Connor	Houghton	Pope
Bishop	Davis	Johns	Rawls
Boyd	Dickinson	Johnson	Rood
Brackin	Eaton	Kelly	Stenstrom
Branch	Edwards	Kickliter	Stratton
Bronson	Gautier	Knight	Sutton
Cabot			

Nays—None.

So Senate Bill No. 84-X(57) passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President submitted to the Senate the question of whether or not the following Resolution should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

By Senators Adams, Barber, Beall, Belser, Bishop, Boyd, Brackin, Branch, Bronson, Cabot, Carlton, Carraway, Clarke, Connor, Davis, Dickinson, Eaton, Edwards, Gautier, Getzen, Hair, Hodges, Houghton, Johns, Johnson, Kelly, Kickliter, Knight, Morgan, Neblett, Pearce, Pope, Rawls, Rood, Stenstrom, Shands, Stratton and Sutton—

Senate Resolution No. 85-X(57):

A RESOLUTION SENDING GREETINGS TO THE HONORABLE FULLER WARREN, FORMER GOVERNOR OF THE STATE OF FLORIDA.

WHEREAS, Honorable Fuller Warren has served the State of Florida in some public capacity for many years, beginning his public service career as a page in the House of Representatives and having been a member of the House of Representatives from both Calhoun and Duval where he made his home, and

WHEREAS, he represented the State of Florida as a delegate to the National Democratic Convention, and

WHEREAS, he served as Governor of the State of Florida with distinction from 1949 through 1952, and

WHEREAS, this great evangelist of Florida's attractions is now ill, NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That we do now and through this resolution express to our friend, the Honorable Fuller Warren, our high regards and best wishes for a speedy recovery.

We hereby direct the secretary of this body to transmit to the Honorable Fuller Warren a copy of this resolution.

And by a two-thirds affirmative vote of the Senate the Resolution was admitted for introduction and consideration by the Senate, and was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 85-X(57) was unanimously adopted.

Senator Davis moved that the Senate revert to the consideration of messages from the House of Representatives.

Which was agreed to by a two-thirds vote and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed with amendments—

By Senators Eaton, Cabot, Johns, Gautier, Houghton, Shands, Stenstrom and Connor—

S. B. No. 70-X(57)—A bill to be entitled An Act relating to the child molester law; amending Section 801.02, Subsection (1), (b) and (2) of Section 801.03, Sections 801.04, 801.06, 801.07, Subsection (2) of 801.08, 801.10, 801.11, 801.12, 801.13, and adding a new Section 801.16, Florida Statutes, providing for an appropriation to the created Florida Research and Treatment Center, providing and authorizing the hiring of certain personnel, providing certain methods of procedure to be used with sexual deviates, providing for keeping of records and other regulations as to committed persons, providing for severability.

Which amendments read as follows:

Amendment Number 1—

In Section 2, Subsection 1, Paragraph (b) line 4, following

the words "his age or color" strike out: period and insert the following in lieu thereof: provided the hospital or institution possesses a maximum security facility as prescribed by the Board of Commissioners of State Institutions.

Amendment Number 2—

In Section 10, Subsection 2, following the words "treatment if required" strike out: period and insert the following in lieu thereof: comma provided no person shall be released or furloughed without the approval of the trial court.

Amendment Number 3—

In Section 2, Subsection 1, Paragraph (b), following the words "or to the hospital" strike out: of and insert the following in lieu thereof: or

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 70-X(57), contained in the above message, was read by title, together with House Amendments thereto.

Senator Eaton moved that the Senate concur in House Amendment No. 1 to Senate Bill No. 70-X(57).

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 70-X(57).

Senator Eaton moved that the Senate concur in House Amendment No. 2 to Senate Bill No. 70-X(57).

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 70-X(57).

Senator Eaton moved that the Senate concur in House Amendment No. 3 to Senate Bill No. 70-X(57).

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 70-X(57).

And Senate Bill No. 70-X(57), as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Branch—

S. B. No. 72-X(57)—A bill to be entitled An Act relating to the compensation of the clerk of the Circuit Court of Liberty County as secretary of the Board of County Commissioners and providing an effective date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 72-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Branch—

S. B. No. 73-X(57)—A bill to be entitled An Act relating to the nomination and election of members of board of public instruction in any county of the state having a population of not less than three thousand (3,000) and not more than three thousand three hundred (3,300), according to the latest federal state-wide decennial census.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 73-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Stenstrom—

S. B. No. 74-X(57)—A bill to be entitled An Act relating to the North Brevard County Hospital District, amending Sections 1, 5, 6, 7, 8, Chapter 28924, Laws of Florida, 1953, and adding a new section to be numbered 8-A; relating to authority to establish, construct, equip, operate, maintain or repair a hospital or hospitals within said district; providing authority to borrow money; providing authority to mortgage property or to issue bonds upon vote of freeholders of said district; and providing authority to establish and maintain a training school for nurses; and providing a referendum.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 74-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Carraway—

S. B. No. 75-X(57)—A bill to be entitled An Act appropriating two hundred thousand dollars (\$200,000.00) to rebuild a condemned auditorium and classroom building at the Suniland Training Center in Gainesville; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives,

And Senate Bill No. 75-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Branch—

S. B. No. 77-X(57)—A bill to be entitled An Act relating to publication of minutes by the Board of County Commissioners and Board of Public Instruction of Liberty County; repealing Chapter 22375, Acts of 1943; providing an effective date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 77-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Edwards—

S. B. No. 76-X(57)—A bill to be entitled An Act relating to appropriations for salaries and operating expenses of the state government; amending Section 2, Item 16 of Chapter 57-424, Laws of Florida, 1957; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 76-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Cabot—

S. B. No. 69-X(57)—A bill to be entitled An Act to provide

for the creation of a municipal corporation to be known as Pembroke, in Broward County, Florida; to define its territorial limits; to provide for the jurisdiction, powers and privileges of said town and the jurisdiction, powers and privileges of its officers; and providing for a referendum.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 69-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Sutton—

S. B. No. 71-X(57)—A bill to be entitled An Act relating to divorce; amending Section 65.02, Florida Statutes, as amended by Chapter 57-44, Laws of Florida, 1957, relating to suits for divorce filed prior to October 1, 1957; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 71-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate Amendment to—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 14-X—A Joint Resolution proposing revision of Article VIII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VIII

TAXATION AND FINANCE

Section 1. Levy of tax pursuant to law—surrender of taxing power prohibited—drawing money from treasury.—No tax shall be levied except as provided by law, and the power of taxation shall never be surrendered, suspended, or contracted away. No money shall be drawn from the treasury except in pursuance of appropriations made by law; provided, expenses of interim legislative committees as provided by concurrent resolution, including compensation of committee employees, may be drawn as legislative expense unless otherwise provided by law.

Section 2. Credit and taxing power—limitations.—The credit of the state shall not be pledged or loaned, directly or indirectly, to any individual, company, corporation, partnership, or association. The state shall not become a joint owner or stockholder in any company, association, or corporation. No tax shall be levied for the benefit of any chartered company. The legislature shall not authorize any county, municipality, special district, or agency of any of them to become a stockholder in any company, association, or corporation, or to obtain, or to appropriate money for, or to loan its credit to, any corporation, association, institution, or individual.

Section 3. State bonds prohibited.—State bonds shall not be issued for any purpose.

Section 4. County, municipal, or district bonds.—No county, municipality, or district shall issue any bonds other than refunding bonds without prior approval by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing therein shall participate. Such election may be held as a special election on that subject only, or by the use of separate ballots in conjunction with any special or general election.

Section 5. Uniform and equal rate—no state ad valorem tax except on intangibles.—(a) The legislature shall provide for raising sufficient revenue for each fiscal year to defray the expenses of the state, including state appropriations for state institutions of higher learning and the uniform system of free public schools, but no ad valorem tax shall be levied for any state purpose on any property except intangible personal property. The rate of taxation on all property except intangible personal property shall be uniform and equal.

(b) The legislature may levy on intangible personal property, in lieu of all other state, county, district, and municipal taxes, a tax at special rates not exceeding two mills of the assessed valuation, but any such intangible tax relating to an obligation secured by lien evidenced by writing shall be imposed only once. The instrument shall not be entitled to record until the tax is paid.

(c) The legislature may apportion the proceeds of intangible taxes.

Section 6. Motor vehicle license tax.—Motor vehicles shall be subject to a license tax on an annual basis for their operation in lieu of all ad valorem taxes on them as personal property.

Section 7. Income tax prohibited—limit on inheritance or estate tax.—No tax shall be levied by the state or under its authority upon the income, inheritances, or estates of citizens or residents of the state; provided, the legislature may provide for the assessment, levy, and collection of a tax upon inheritances or estates of decedents not exceeding in the aggregate the amounts which may by any law of the United States be credited against or deducted from any similar tax on inheritances, or taxes on estates, assessed or levied by the United States on the same subject. The legislature may apportion all taxes collected hereunder to any state, county, or municipal purposes.

Section 8. Allocation of pari mutuel excise taxes.—The legislature shall have the power to allocate and distribute to the counties, in equal amounts and at such times as it shall determine, any portion or all of the proceeds of state excise taxes on the operation of pari mutuel pools.

Section 9. (a) Board of administration—gasoline and like taxes—distribution and use.—Until January 1, 1993, the proceeds of two cents per gallon of the total tax levied by state law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the State Roads Distribution Fund in the state treasury and divided into three equal parts which shall be distributed monthly among the several counties as follows:

One part according to area, one part according to population, and one part according to the counties' contributions to the cost of state road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931, and for the purpose of the apportionment based on the counties' contributions for the cost of state road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken

and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(b) The governor as chairman, the state treasurer, and the state comptroller shall constitute a body corporate to be known as the State Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control, and supervision of the proceeds of said two cents of said taxes and all moneys and other assets which on January 1, 1943, are applicable or may become applicable to the bonds of the several counties of this state, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1, 1931, for road and bridge purposes. The word "bonds" as used herein shall include bonds, time warrants, notes, and other forms of indebtedness issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1, 1931, or any refunding issues thereof. Said board shall have the statutory powers of boards of county commissioners and bond trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents, and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature prior to January 1, 1993, for any of said outstanding bonds or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three percent per annum in such denominations and maturing at such time prior to January 1, 1993, as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds created for said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing bonds participating herein of any other county or any other special road and bridge district, or other special taxing district thereof, provided that as to said matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three percent per annum.

(c) The said board shall annually use said funds in each county account, first, to pay current principal and interest maturing, if any, of said bonds and gasoline or other fuel tax anticipation certificates of such county or special road and bridge district, or other special taxing district thereof; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two cents of said taxes shall monthly during the year be remitted by said board as follows: Eighty percent to the State Road Department for the construction or reconstruction of state roads and bridges within the county, or for the lease or purchase of bridges connecting state highways within the county, and twenty percent to the board of county commissioners of such county for use on roads and bridges therein.

(d) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1943. The legislature shall continue the levies of said taxes during the life of this section, and shall not enact any law having the effect of withdrawing the proceeds of said two cents of said taxes from the operation of this section. The board shall pay refunding expenses and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the

same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

Section 10. Tax exemptions.—(a) Personal effects and household goods of family head.—No tax shall be levied on \$500 of the assessed valuation of household goods and personal effects of the head of a family residing in this state, or on \$500 of the assessed valuation of property of a widow residing in this state or of a resident who has lost a limb or been disabled by war or other misfortune. These exemptions may be claimed concurrently.

(b) Exemption of homestead from taxation.—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of \$5,000 on the said home and contiguous real property, as defined in Article IX hereof. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than \$5,000 shall be allowed to any one person or on any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

(c) Religious, charitable, and other institutions.—Property held and used exclusively for religious, charitable, educational, literary, scientific, state, county, or municipal purposes, shall be exempt from taxation, and the legislature may exempt from taxation the property of a corporation authorized to construct a ship or barge canal for public use.

(d) No tax exemption shall be granted unless authorized herein.

Section 11. Local taxation.—The legislature shall make adequate provision for the assessment of property for taxation and the levying of taxes and of assessments for special benefits by counties and municipalities and by or for districts, for their respective purposes and for no other purpose. The legislature shall prescribe regulations that will insure a just valuation of all taxable real and personal property, and all assessments shall be subject to review, equalization, or adjustment as provided by law. The rate of taxation shall be uniform and equal.

Section 12. Illegal tax—prerequisite to relief.—Each taxpayer shall pay into court the portion of his taxes admitted to be regularly assessed and legally imposed before he can seek judicial relief from payment of the remainder, and before such relief is granted he shall pay any additional amount found to be due.

Section 13. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, and IX through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare bal-

lots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Which amendment reads as follows:

In Section 10, (printed bill), strike out all of Subsection (c) and insert in lieu thereof the following:

“(c) Religious, charitable, and other institutions.—The legislature may by law exempt from taxation property held and used exclusively for religious, charitable, educational, literary, scientific, state, county, or municipal purposes, and the property of a corporation authorized to construct a ship or barge canal for public use.”

—and respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Joint Resolution No. 14-X, contained in the above message, was read together with the Senate Amendment thereto.

Senator Rawls moved that the Senate do not recede from the Senate Amendment to Committee Substitute for House Joint Resolution No. 14-X.

Which was agreed to and the Senate refused to recede from the Senate Amendment to Committee Substitute for House Joint Resolution No. 14-X.

Senator Rawls moved that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House of Representatives to confer with a like Committee to be appointed by the President on the part of the Senate to adjust the differences between the Senate and the House of Representatives on the Senate Amendment to Committee Substitute for House Joint Resolution No. 14-X.

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was also read:

Tallahassee, Florida.
October 9, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Mr. Maness of Duval—

H. B. No. 116-X—A bill to be entitled An Act amending and clarifying Chapter 57-87, Laws of Florida, 1957, entitled “An Act amending Section 734.041, Florida Statutes, 1955, relating to the apportionment and payment of federal and state estate and death taxes”, by adding Section 3; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 116-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Rawls moved that the rules be waived and House Bill No. 116-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 116-X was read the second time by title only.

Senator Rawls moved that the rules be further waived and House Bill No. 116-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 116-X was read the third time in full.

Upon the passage of House Bill No. 116-X the roll was called and the vote was:

Yeas—37.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Belser	Connor	Houghton	Pope
Bishop	Davis	Johns	Rawls
Boyd	Dickinson	Johnson	Rood
Brackin	Eaton	Kelly	Stenstrom
Branch	Edwards	Kicklitter	Stratton
Bronson	Gautier	Knight	Sutton
Cabot			

Nays—None.

So House Bill No. 116-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By the Committee on Judiciary C.

Committee Substitute for House Bill No. 79-X—A bill to be entitled An Act authorizing the county boards of public instruction to excuse children from school attendance as otherwise required under the school attendance law, or to assign children to another school, within the county upon petition of parents or other persons standing in loco parentis; and limiting the effect of permitted absences upon the allocation of funds under the minimum foundation program.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not Committee Substitute for House Bill No. 79-X,

contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, was read the first time by title only, and referred to the Committee on Education.

Senator Davis moved that when the Senate adjourns at this Session it recess to reconvene at 3:30 o'clock P.M., this day.

Which was agreed to by a two-thirds vote and it was so ordered.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:10 o'clock P. M., until 3:30 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 3:30 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Rood
Branch	Eaton	Kelly	Stenstrom
Bronson	Edwards	Kicklitter	Stratton
Cabot	Gautier	Knight	Sutton

—36

A quorum present.

By permission the following Engrossing Reports were filed:

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

S. B. No. 79-X(57)—A bill to be entitled An Act to amend Section 1 of Chapter 27,202, Acts of 1951, relating to the issuance of a beverage license to any municipality, county, airport authority or other governmental agency operating an airport where an airline transportation company or companies, properly certificated by the United States of America, operate and maintain a regular passenger service on scheduled flights, in each county of the State of Florida having a population of more than 200,000 but less than 400,000 according to the most recent census, by making said Chapter 27,202, Acts of 1951, also applicable to counties having a population of not more than 36,000 or less than 34,650 according to the most recent census; and providing for the effective date of this act.

—begs leave to report that the Senate Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Bill No. 79-X(57), contained in the above report was ordered certified to the House of Representatives immediately.

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

S. B. No. 80-X(57)—A bill to be entitled An Act empowering the county commissioners in all counties of the State of Florida having a population of not more than twenty-eight thousand (28,000) and not less than twenty-seven thousand (27,000) inhabitants, according to the last official state-wide

decennial census, to employ life guards at any public beach within the county; providing an effective date.

—begs leave to report that the Senate Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Bill No. 80-X(57), contained in the above report was ordered certified to the House of Representatives immediately.

Senator Brackin moved that a committee be appointed to escort Congressman Bob Sikes, of the Third Congressional District of Florida, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Brackin, Knight and Beall as the committee which escorted Congressman Bob Sikes to the rostrum.

Senator Rood moved that the Senate revert to the consideration of messages from the House of Representatives.

Which was agreed to by a two-thirds vote and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Youngberg and Bartholomew of Sarasota—

H. B. No. 119-X—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Sarasota County, to establish, install and operate drainage plans, measures and facilities within Sarasota County, but outside the corporate limits of any municipality therein; providing for the acquisition of property therefor; authorizing the construction, installation and equipping of such facilities as may be necessary or required; providing for acquisition of property by eminent domain; authorizing cooperation with other governmental bodies; providing authority to levy a tax in Sarasota County, but outside the corporate limits of any municipality therein, to defray the costs of such drainage programs; providing exemptions to said levy; authorizing the employment of all necessary personnel; authorizing the promulgation of rules and regulations in the administration of this Act; providing for the publication of same; providing that a violation thereof shall be a misdemeanor; authorizing the board of county commissioners to negotiate with any existing drainage district within Sarasota County, for the purpose of acquiring any or all of the assets of such existing drainage district or districts; providing for the assumption of the indebtedness, bonded or otherwise, of any such drainage district or districts by the County of Sarasota; providing said Act shall not take effect until approved by referendum.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 119-X, contained in the foregoing message, should be introduced for consideration by

the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Rood moved that the rules be waived and House Bill No. 119-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 119-X was read the second time by title only.

Senator Rood moved that the rules be further waived and House Bill No. 119-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 119-X was read the third time in full.

Upon the passage of House Bill No. 119-X the roll was called and the vote was:

Yeas—36.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Rood
Branch	Eaton	Kelly	Stenstrom
Bronson	Edwards	Kicklitter	Stratton
Cabot	Gautier	Knight	Sutton

Nays—None.

So House Bill No. 119-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Mr. Daniel of Lake—

H. B. No. 121-X—A bill to be entitled An Act regulating the operation of motor boats, launches and other water craft and making certain acts unlawful upon the lakes or waters in any county in the State of Florida having a population of not less than thirty-five thousand (35,000) and not more than thirty-six thousand four hundred (36,400) inhabitants according to the last official state-wide decennial census; providing for enforcement; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 121-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Boyd moved that the rules be waived and House Bill No. 121-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 121-X was read the second time by title only.

Senator Boyd moved that the rules be further waived and House Bill No. 121-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 121-X was read the third time in full.

Upon the passage of House Bill No. 121-X the roll was called and the vote was:

Yeas—36.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Rood
Branch	Eaton	Kelly	Stenstrom
Bronson	Edwards	Kicklitter	Stratton
Cabot	Gautier	Knight	Sutton

Nays—None.

So House Bill No. 121-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Rood—

S. B. No. 79-X(57)—A bill to be entitled An Act to amend Section 1 of Chapter 27,202, Acts of 1951, relating to the issuance of a beverage license to any municipality, county, airport authority or other governmental agency operating an airport where an airline transportation company or companies, properly certificated by the United States of America, operate and maintain a regular passenger service on scheduled flights, in each county of the state of Florida having a population of more than 200,000 but less than 400,000 according to the most recent census, by making said Chapter 27,202, Acts of 1951, also applicable to counties having a population of not more than 36,000 or less than 34,650 according to the most recent census and providing for the effective date of this Act.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 79-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Brackin—

S. B. No. 80-X(57)—A bill to be entitled An Act empowering the county commissioners in all counties of the State of Florida having a population of not more than twenty-eight thousand (28,000) and not less than twenty-seven thousand (27,000) inhabitants, according to the last official state-wide decennial census, to employ life guards at any public beach within the county; providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 80-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Pope—

S. B. No. 81-X(57)—A bill to be entitled An Act designating State Road 210A, known as the Canal Road, as Roscoe Boulevard in St. Johns County.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 81-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Rawls—

S. B. No. 78-X(57)—A bill to be entitled An Act creating and establishing a Port Authority in Jackson County; designating its members; defining its rights, duties and authority; prescribing the method of financing said authority and its activities as prescribed by this Act, and any other matters incidental to carrying out the purpose of the Act; subject to referendum; and providing an effective date.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 78-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Branch—

S. B. No. 83-X(57)—A bill to be entitled An Act providing method of distributing race track money allocated for school construction in Liberty County, as provided by Chapter 57-1024, Laws of Florida; providing an effective date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 83-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Senators Eaton, Cabot, Dickinson and Neblett—

S. B. No. 60-X(57)—A bill to be entitled An Act to define criminal sexual psychopathic persons and to provide for the commitment of such persons and the procedure therefor.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Eaton moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 60-X(57) passed the Senate on October 8, 1957.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 60-X(57) passed the Senate on October 8, 1957?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which Senate Bill No. 60-X(57) passed the Senate on October 8, 1957.

The question recurred on the passage of Senate Bill No. 60-X(57).

Pending roll call on the passage of Senate Bill No. 60-X(57), by unanimous consent, Senator Eaton withdrew Senate Bill No. 60-X(57), from the further consideration of the Senate.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Johnson—

S. B. No. 50-X(57)—A bill to be entitled An Act relating to appointment and assignment as acting prosecuting attorney, and to the compensation of acting prosecuting attorneys; amending Sections 34.15 and 34.16, Florida Statutes.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 50-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed Messrs. Chappell of Marion, Chaires of Dixie, Cross of Alachua, Herrell of Dade and Horne of Leon, and as an alternate, Mr. Mathews of Duval, as a Conference Committee on the part of the House of Representatives to confer with a like committee on the part of the Senate to adjust the differences existing between the two Bodies on Senate Amendment to Committee Substitute for House Joint Resolution No. 14-X.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President announced the appointment of Senators Johnson, Rawls, Davis, Adams and Pope as the Committee on the part of the Senate to confer with the Committee on the part of the House of Representatives to adjust the differences existing between the Senate and the House of Representatives on the Senate Amendment to Committee Substitute for House Joint Resolution No. 14-X, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed Messrs. Chappell of Marion, Cross of Alachua, Chaires of Dixie, Horne of Leon, Herrell of Dade, and as an alternate, Mr. Mathews of Duval, as a Conference Committee on the part of the House of Representatives to confer with a like committee on the part of the Senate to adjust the differences between the Senate and the House of Representatives on House Amendments Nos. 2, 3, 4, 5 and 6 to Senate Joint Resolution No. 9-X(57).

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President announced the appointment of Senators Johnson, Rawls, Davis, Adams and Pope as the Committee on the part of the Senate to confer with the Committee on the part of the House of Representatives to adjust the differences existing between the Senate and the House of Representatives on House Amendments Nos. 2, 3, 4, 5 and 6 to Senate Joint Resolution No. 9-X(57), and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed Messrs. Chappell of Marion, Cross of Alachua, Chaires of Dixie, Horne of Leon, Herrell of Dade, and as an alternate, Mr. Mathews of Duval, as a Conference Committee on the part of the House of Representatives to confer with a like committee on the part of the Senate to adjust the differences existing between the Senate and the House of Representatives on Senate Amendments Nos. 1 and 2 to House Joint Resolution No. 9-X.

Respectfully,

LAMAR BLEDSON,
Chief Clerk, House of Representatives.

The President announced the appointment of Senators Johnson, Rawls, Davis, Adams and Pope as the Committee on the part of the Senate to confer with the Committee on the part of the House of Representatives to adjust the differences existing between the Senate and the House of Representatives on Senate Amendments Nos. 1 and 2 to House Joint Resolution No. 9-X, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has adopted—

By Mr. Petersen of Pinellas—

House Concurrent Resolution No. 118-X:

A CONCURRENT RESOLUTION COMMENDING THE COMMITTEES ON CONSTITUTIONAL REVISION FOR BOTH THE HOUSE AND SENATE FOR THEIR UNTIRING AND EXCELLENT SERVICES IN BEHALF OF THE LEGISLATURE AND THE STATE OF FLORIDA:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

Section 1. The house of Representatives and the Senate, by this Resolution, express to the members of both the House and the Senate Committee on the Revision of the Florida Constitution our thanks and appreciation for their untiring efforts and the excellent work which has been done in bringing together a revision of the Florida Constitution. To each member who has so unselfishly contributed time and energy to this project, and especially to the two (2) chairmen of the Committees, we express our collective personal appreciation.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSON,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Concurrent Resolution No. 118-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Concurrent Resolution was admitted for introduction and consideration by the Senate, and was read the first time in full.

Senator Brackin moved that the rules be waived and House Concurrent Resolution No. 118-X be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 118-X was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and House Concurrent Resolution No. 118-X was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Kelly requested unanimous consent of the Senate to take up and consider House Bill No. 61-X, out of its order.

Unanimous consent was granted, and—

H. B. No. 61-X—A bill to be entitled An Act relating to all counties in this state having a population of not less than one hundred twenty thousand (120,000) and not more than one hundred fifty thousand (150,000) inhabitants, according to the last official state-wide decennial census; providing for the salary of the superintendent of public instruction; providing for superseding that portion of section 230.302, Florida Statutes, relating to payment of salary; and providing an effective date.

Was taken up.

Senator Kelly moved that the rules be waived and House Bill No. 61-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 61-X was read the second time by title only.

Senator Kelly offered the following amendment to House Bill No. 61-X:

In Section 1, line 6, (typewritten bill) After the word "instruction" strike out the words "shall be ten thousand dollars (\$10,000.00) per annum payable in twelve (12) equal monthly installments." and insert in lieu thereof the following: shall be determined by the county board of public instruction after notice is given at least fifteen (15) days prior to a meeting of the board at which time a public hearing shall be held on the question of setting the salary of the superintendent of public instruction.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kelly moved that the rules be further waived and House Bill No. 61-X, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 61-X, as amended, was read the third time in full.

Upon the passage of House Bill No. 61-X, as amended, the roll was called and the vote was:

Yeas—36.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Rood
Branch	Eaton	Kelly	Stenstrom
Bronson	Edwards	Kickliter	Stratton
Cabot	Gautier	Knight	Sutton

Nays—None.

So House Bill No. 61-X passed, as amended, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The Senate resumed the consideration of messages from the House of Representatives.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Russ of Wakulla, Williams of Columbia, Crews of Baker, Vocelle of Indian River, Alexander of Liberty, Askins of Nassau, Ayers of Hernando, Barron of Bay, Beasley of Walton, Beck of Putnam, Blank of Palm Beach, Chaires of Dixie, Cleveland of Seminole, Cross of Alachua, Daniel of Lake, Frederick of Seminole, Griffin of Polk, Harris of Bay, Hathaway of Charlotte, Hollahan of Dade, Horne of Leon, Inman of Orange, Jones of Taylor, Kimbrough of Santa Rosa, Lancaster of Gilchrist, Livingston of Highlands, Maness of Duval, Mann of Hillsborough, Manning of Holmes, Marshburn of Levy, Mathews of Duval, Mattox of Polk, McAlpin of Hamilton, Mitchell of Leon, Mitchell of Washington, Musselman of Broward, Orr of Dade, Papy of Monroe, Peavy of Madison, Peters of Calhoun, Putnal of Lafayette, Roberts of Union, Roberts of Palm Beach, Roberts of Suwannee, Rowell of Sumter, Rowell of Martin, Ryan of Broward, Saunders of Clay, Sheppard of Lee, Smith of St. Lucie, Smith of DeSoto, Stewart of Okaloosa, Stewart of Hendry, Stone of Escambia, Strickland of Citrus, Surlis of Polk, Turlington of Alachua, Usina of St. Johns, Wadsworth of Flagler, Walker of Collier, Weinstein of St. Johns, Westberry of Duval, Williams of Hardee, Williams of Pasco, Conner of Bradford, Mrs. Johnson of Orange and Mrs. Patton of Franklin—

H.B. No. 120-X—A bill to be entitled An Act relating to work hours of State Road Department employees.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 120-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 120-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 120-X was read the second time by title only.

Senator Carlton moved that the rules be further waived and House Bill No. 120-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 120-X was read the third time in full.

Upon the passage of House Bill No. 120-X the roll was called and the vote was:

Yeas—36.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Rood
Branch	Eaton	Kelly	Stenstrom
Bronson	Edwards	Kicklitter	Stratton
Cabot	Gautier	Knight	Sutton

Nays—None.

So House Bill No. 120-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Davis moved that the Senate recess until 6:30 o'clock P. M., this day.

Which was agreed to.

Thereupon the Senate stood in recess at 3:50 o'clock P. M.

The Senate was called to order by the President at 6:30 o'clock P. M.

The roll was called and the following Senators answered to their names:

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Stenstrom
Branch	Eaton	Kelly	Stratton
Bronson	Edwards	Kicklitter	Sutton
Cabot	Gautier	Knight	

—35.

A quorum present.

By permission the following Reports of Committee were received.

REPORTS OF COMMITTEE

Senator Edwards, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

H. B. No. 78-X—A bill to be entitled An Act relating to compulsory school attendance and child welfare; amending Section 232.19, Subsections (1) and (6) (a), Florida Statutes; providing for penalties; providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Edwards, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

Committee Substitute for House Bill No. 79-X—A bill to be entitled An Act authorizing the county boards of public instruction to excuse children from school attendance as otherwise required under the school attendance law, or to assign children to another school, within the county upon petition of parents or other persons standing in loco parentis; and limiting the effect of permitted absences upon the allocation of funds under the minimum foundation program.

—and the Committee reports same without recommendation.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred, with House Amendments, for engrossing—

S. B. No. 70-X(57)—A bill to be entitled An Act relating to the child molestor law; amending Section 801.02, Subsections (1), (b) and (2) of Section 801.03, Sections 801.04,

801.06, 801.07, Subsection (2) of 801.08, 801.10, 801.11, 801.12, 801.13, and adding a new Section 801.16, Florida Statutes, providing for an appropriation to the created Florida Research and Treatment Center, providing and authorizing the hiring of certain personnel, providing certain methods of procedure to be used with sexual deviates, providing for keeping of records and other regulations as to committed persons, providing for severability.

—begs leave to report that the House Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Bill No. 70-X(57), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Senator Houghton moved that the Senate revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Messrs. Carney, Petersen and Shaffer of Pinellas—

H. B. No. 92-X—A bill to be entitled An Act to provide for the creation of sewer districts within counties of the state having a population of not less than 150,000 or more than 250,000 according to the last official state-wide federal decennial census; to incorporate same; to provide for the government, powers, operation, maintenance, regulation and control thereof; to provide for the construction, acquisition or purchase of sewer systems and improvements, additions and extensions thereto and the operation and maintenance thereof by said districts; to provide for optional or combined methods of financing such construction, acquisition, purchase and maintenance by the issuance of revenue bonds or general obligation bonds or both and the levy of ad valorem taxes to pay such general obligation bonds, and the collection of rates and charges on users of such systems to pay such revenue bonds or general obligation bonds, and to provide for the levy and collection of special assessments on benefited property and the pledge of such assessments for the payment of any revenue or general obligation bonds; to issue certificates of indebtedness; providing for the levy of utilities services taxes and the pledge of same for the payment of any general obligation bonds or revenue bonds authorized to be issued by this act; providing for the rights, remedies and security of any of the holders of said bonds; and providing when this act shall take effect.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President submitted to the Senate the question of whether or not House Bill No. 92-X, contained in the foregoing message, should be introduced for consideration by the Senate notwithstanding that it did not come within the purview of the Governor's Proclamation convening the Extraordinary Session.

And by a two-thirds affirmative vote of the Senate the Bill was admitted for introduction and consideration by the Senate, and was read the first time by title only.

Senator Houghton moved that the rules be waived and House Bill No. 92-X be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 92-X was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 92-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 92-X was read the third time in full.

Upon the passage of House Bill No. 92-X the roll was called and the vote was:

Yeas—35.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Stenstrom
Branch	Eaton	Kelly	Stratton
Bronson	Edwards	Kickliter	Sutton
Cabot	Gautier	Knight	

Nays—None.

So House Bill No. 92-X passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Davis moved that the Senate revert to the introduction of Bills.

Which was agreed to by a two-thirds vote.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Davis—

Senate Concurrent Resolution No. 86-X(57):

A CONCURRENT RESOLUTION PROVIDING FOR SINE DIE ADJOURNMENT OF THE SPECIAL SESSION.

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. This special session of the Legislature shall adjourn sine die at 8:00 P. M. on Wednesday, October 9, A.D. 1957.

Which was read the first time in full.

Senator Davis moved that the rules be waived and Senate Concurrent Resolution No. 86-X(57) be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote and Senate Concurrent Resolution No. 86-X(57) was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 86-X(57) was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately.

The Senate resumed the consideration of Bills and Joint Resolutions on Second Reading.

House Joint Resolution No. 12-X—A Joint Resolution proposing revision of Article VI of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VI

of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VI

SUFFRAGE AND ELECTIONS

Section 1. Secret vote—direct vote—choice by plurality—regulation of elections.—Unless otherwise provided herein, all elections by the people shall be by secret and direct vote and shall be determined by a plurality of the votes cast. The conduct of elections, requirements for absentee voting, methods of voting, determination of election returns, and procedure in election contests shall be prescribed by law. Recognition, regulation, and nominating procedure of political parties shall be provided by law.

Section 2. Electors — qualifications — registration.—Every citizen of the United States who is twenty-one years of age, and who immediately preceding registration has been a permanent resident for one year in the state and for six months in the county in which he applies to register, shall upon registering be a qualified elector of such county at all elections under this constitution. The legislature shall provide for registration of all electors, and may provide for registration of electors outside the territorial limits of the state, and no person may vote unless registered according to law. A naturalized citizen shall exhibit his certificate of naturalization or a duly certified copy thereof to the registration officer when applying for registration.

Section 3. Oath of electors.—Each elector shall take the following oath upon registering: "I do solemnly swear [or affirm] that I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, that I am twenty-one years of age, that I have been a resident of the State of Florida for one year and of the county for six months, and that I am qualified to vote under the Constitution and laws of the State of Florida."

Section 4. Disqualifications.—No person convicted of a felony, or judicially determined to be of unsound mind, or under judicial guardianship because of mental disability, shall be qualified to vote or hold public office until his civil rights are restored or his disability removed.

Section 5. General and special elections.—A general election shall be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective state or county officer whose term will expire before the next general election and, except as provided herein, to fill each vacancy in elective office for the unexpired portion of the term. The month and day of general elections may be changed by law.

Special elections and referenda shall be held at the time and in the manner provided by law.

Section 6. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV and VII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in

the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up and read the second time in full.

Senator Johnson moved that the rules be waived and House Joint Resolution No. 12-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 12-X was read the third time in full.

Upon the passage of House Joint Resolution No. 12-X the roll was called and the vote was:

Yeas—35.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Stenstrom
Branch	Eaton	Kelly	Stratton
Bronson	Edwards	Kickliter	Sutton
Cabot	Gautier	Knight	

Nays—None.

So House Joint Resolution No. 12-X passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

House Joint Resolution No. 10-X—A Joint Resolution proposing revision of Article II of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article II of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE II

GENERAL PROVISIONS

Section 1. Rules of construction.—Unless qualified in the text the following rules of construction shall apply to this constitution:

- "Herein" refers to the entire constitution.
- The singular includes the plural.
- The masculine includes the feminine and the neuter.
- "Vote of the electors" means the vote of the majority of those voting on the matter in an election, general or special, in which those participating are limited to the qualified electors of the governmental unit referred to in the text.
- Vote or other action of a legislative house or other governmental body means the vote or action of a majority or other specified percentage of those members voting on the matter; the vote or other action "of the membership" means the vote or action of all members thereof.
- Titles and subtitles shall not be used in construction.

Section 2. Branches of government.—The powers of the

state government shall be divided into the Legislative, Executive, and Judicial branches. No person properly belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

Section 3. State boundaries.—The state boundaries are: Begin at the mouth of the Perdido River, which for the purposes of this description is defined as the point where latitude 30°16'53" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°17'02" north and longitude 87°31'06" west intersect; thence to the point where latitude 30°18'00" north and longitude 87°27'08" west intersect; thence to the point where the center line of the Intra-coastal Canal (as the same existed on June 12, 1953) and longitude 87°27'00" west intersect; the same being in the middle of the Perdido River; thence up the middle of the Perdido River to the point where it intersects the south boundary of the State of Alabama, being also the point of intersection of the middle of the Perdido River with latitude 31°00'00" north; thence east, along the south boundary line of the State of Alabama, the same being latitude 31°00'00", north to the middle of the Chattahoochee River; thence down the middle of said river to its confluence with the Flint River; thence in a straight line to the head of the St. Marys River; thence down the middle of said river to the Atlantic Ocean, and extending therein to a point three geographic miles from the Florida coast line, meaning the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters; thence southeastwardly following a line three geographic miles distant from the Atlantic coast line of the state and three leagues distant from the Gulf of Mexico coast line of the state to and around the Tortugas Islands; thence northeastwardly, three leagues distant from the coast line, to a point three leagues distant from the coast line of the mainland; thence north and northwestwardly, three leagues distant from the coast line, to a point west of the mouth of the Perdido River, three leagues from the coast line, as measured on a line bearing 0°01'00" west from the point of beginning; thence along said line to the point of beginning.

The legislature may extend the coastal boundaries to such limits as the laws of the United States or international law may permit.

Section 4. Seat of government—location of offices.—The seat of government shall be the City of Tallahassee, in Leon County, where the offices of the executive officers and of the supreme court shall be maintained; provided, when necessary because of invasion or grave emergency the governor by proclamation may for the period necessary transfer the seat of government to another place. Administrative agencies shall maintain their offices at the places prescribed by law.

Section 5. State seal and flag.—The design of the great seal and flag of the state shall be prescribed by the legislature.

Section 6. Felony—definition.—The term "felony" as used herein and in the laws of this state shall mean any criminal offense that is punishable under the laws of this state, or that would be punishable if committed in this state, by death or by imprisonment in the state penitentiary.

Section 7. Census.—The latest state-wide decennial federal census shall be the official state census and shall be cited in all laws based on population and for reapportionment of representation. County or district censuses may be taken for all other purposes as provided by law.

Section 8. Public officers—methods of selection—qualifications—residence and other limitations—appointment—vacancy—refusal of confirmation—term—duties and personal attention thereto—oath—bond—payment of compensation.—The legislature shall provide for election by the people or appointment by the governor of each state or county officer if the method of his selection is not provided herein, and except as provided herein it shall prescribe his qualifications, method of election, duties, powers, term, and compensation, and also the membership of each board or commission. Each public officer shall maintain his residence within the area from which selected whenever election or appointment from a designated area is required by law. No person holding or exercising the functions of any office under a foreign government, the United States, or another state, shall hold any office of honor or profit under the government of this state. No person shall at the same time hold or perform the functions of more than one office

under the government of this state; provided, notaries public and military officers may be elected or appointed to fill any single legislative, executive, or judicial office.

Except as provided herein and as may be provided by law for selection of jury commissioners, the governor shall make all appointments to each state or county appointive office and shall fill each vacancy in office. Vacancy occurs upon death, failure to qualify within fifteen days from commencement of the term of office to which elected, or, after qualification, upon removal, impeachment, resignation, succession to another office, failure to maintain residence within the area from which selected, or unexplained absence for six months. If confirmation of appointment to an office is required and the senate disapproves the appointment, the person proposed shall be ineligible for appointment to that office for four years from refusal of confirmation.

Except as provided herein no term of office shall exceed four years and the term of each elective officer shall commence at noon, standard time at the seat of office, on the first Tuesday after the first Monday in January following the election. An officer elected to fill a vacancy shall serve from noon on such Tuesday for the unexpired portion of the term, and one appointed to fill a vacancy in elective office shall serve until his elected successor takes office. An appointive officer whose term is not fixed by law shall serve at the pleasure of the appointing authority. Each public officer shall continue in office until his successor qualifies.

Each public officer or agency shall perform the duties prescribed herein, and all except the governor shall perform all other duties prescribed by law. Each public officer shall devote personal attention to the duties of his office. Each legislator shall take the following oath of office on the first day of the next session of the legislature following his election but upon election shall be qualified to participate in all interim legislative activities, and each other public officer before taking office shall swear or affirm: "I do solemnly swear [or affirm] that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State; and that I will well and faithfully perform the duties of [title of office] on which I am now about to enter. So help me God."

Each public officer shall give bond as provided by law and shall not be surety upon the official bond of another public officer. His compensation shall be payable monthly on his own requisition.

Section 9. Property of married women.—All property of a wife owned before or acquired after marriage shall be her separate property and shall not be liable for the debts of her husband without her written consent executed according to law governing conveyance of the subject property.

Section 10. Suits against public bodies—extra compensation—claim bills.—The legislature may provide by general law for suits against the state or any public body therein.

No extra compensation shall be paid to any officer, agent, or employee after the service is rendered, or to any contractor except in accordance with the terms of the contract. No money shall be appropriated for or paid on any claim not specifically identified and provided for by law in force when the claim accrues unless the compensation or claim has been allowed by bill passed by two thirds of the members elected to each house of the legislature.

Section 11. Civil actions—restrictions on statutes of limitation.—The time for bringing a civil action on any existing cause of action shall not be reduced without providing a reasonable period for bringing it.

Section 12. Criminal statutes—repeal or modification.—Repeal or amendment of a criminal statute shall not affect prosecution or punishment for any crime committed prior thereto.

Section 13. Amendments to United States constitution—pre-requisite to state action.—No state convention or legislature shall take action on any proposed amendment to the constitution of the United States unless a majority of the members thereof shall have been elected after its submission to the states.

Section 14. Lotteries prohibited.—All lotteries are prohibited.

Section 15. **Miscegenation prohibited.**—Marriage between a white person and a person of negro descent through the fourth generation is prohibited.

Section 16. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, III, IV, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Was taken up and read the second time in full.

Senator Johnson moved that the rules be waived and House Joint Resolution No. 10-X be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 10-X was read the third time in full.

Upon the passage of House Joint Resolution No. 10-X the roll was called and the vote was:

Yeas—35.

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Stenstrom
Branch	Eaton	Kelly	Stratton
Bronson	Edwards	Kickliter	Sutton
Cabot	Gautier	Knight	

Nays—None.

So House Joint Resolution No. 10-X passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Joint Resolution No. 11-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article IX of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IX

HOMESTEAD

Section 1. **Homestead—exemption from forced sale—freedom from liens—exceptions—limitations on disposition.**—The following property, owned by the head of a family residing on the realty in this state, shall be exempt from forced sale under process of any court for all obligations incurred by him or imposed thereon, and no judgment, decree, or execution shall be a lien thereon, except for payment of (a) taxes and assessments thereon, (b) obligations contracted for the purchase thereof, (c) obligations contracted for erection or repair of improvements on the realty, or (d) obligations contracted for house, field, or other labor performed on the realty:

(i) A homestead to the extent of one hundred sixty acres of contiguous land and improvements thereon located outside a municipality, which area shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality, or one-half acre of contiguous land located within a municipality, which exemption within a municipality shall be limited to the residence and business house of the owner;

(ii) Personal property of the value of \$1,000.

Said exemptions shall inure to the surviving spouse and heirs of the owner.

The homestead shall not be subject to devise if the owner is survived by children. If the owner is married, it shall not be alienated or encumbered without the consent of the spouse. If the owner or spouse is incompetent, the method of alienation or encumbrance shall be as provided by law.

Section 2. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, VIII, and X through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Was taken up, together with the following House Amendment to Senate Joint Resolution No. 11-X(57)—

Which amendment reads as follows:

Add the following section at the end of the resolution:

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen

proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Senator Johnson moved that the Senate concur in the House Amendment to Senate Joint Resolution No. 11-X(57).

Which was agreed to and the Senate concurred in the House Amendment to Senate Joint Resolution No. 11-X(57).

Senator Johnson moved that Senate Joint Resolution No. 11-X(57), as amended, be read in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 11-X(57), as amended, was read in full as follows:

Senate Joint Resolution No. 11-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article IX of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

**ARTICLE IX
HOMESTEAD**

Section 1. **Homestead—exemption from forced sale—freedom from liens—exceptions—limitations on disposition.**—The following property, owned by the head of a family residing on the realty in this state, shall be exempt from forced sale under process of any court for all obligations incurred by him or imposed thereon, and no judgment, decree, or execution shall be a lien thereon, except for payment of (a) taxes and assessments thereon, (b) obligations contracted for the purchase thereof, (c) obligations contracted for erection or repair of improvements on the realty, or (d) obligations contracted for house, field, or other labor performed on the realty:

(i) A homestead to the extent of one hundred sixty acres of contiguous land and improvements thereon located outside a municipality, which area shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality, or one-half acre of contiguous land located within a municipality, which exemption within a municipality shall be limited to the residence and business house of the owner;

(ii) Personal property of the value of \$1,000.

Said exemptions shall inure to the surviving spouse and heirs of the owner.

The homestead shall not be subject to devise if the owner is survived by children. If the owner is married, it shall not be alienated or encumbered without the consent of the spouse. If the owner or spouse is incompetent, the method of alienation or encumbrance shall be as provided by law.

Section 2. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, VIII, and X through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution

should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Senate Joint Resolution No. 11-X(57), as amended, the roll was called and the vote was:

Yeas—30.

Mr. President	Cabot	Hair	Pearce
Adams	Clarke	Hodges	Pope
Beall	Davis	Johns	Rawls
Bishop	Dickinson	Johnson	Stenstrom
Boyd	Eaton	Kelly	Stratton
Brackin	Edwards	Kickliter	Sutton
Branch	Gautier	Knight	
Bronson	Getzen	Neblett	

Nays—1.

Houghton

So Senate Joint Resolution No. 11-X(57), passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Johnson moved that the rules be waived and Senate Joint Resolution No. 11-X(57) be immediately certified to the House of Representatives, after being engrossed.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Johnson moved that the rules be waived and the Senate revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate Amendments Nos. 1, 2 and 3 to—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 11-X—A Joint Resolution proposing revision of Article IV of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or re-

jection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV

EXECUTIVE

Section 1. Governor—chief executive—commander-in-chief—grants—commissions.—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. Governor—message to legislature.—At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. Governor—suspensions—filling office during suspensions.—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension, and such evidence as the officer may desire to offer in his defense, shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it sustains the suspension or fails to act or postpone consideration before adjourning, the officer shall be removed from office as of the date of the original order of suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. Cabinet—membership—lieutenant governor—election—term—qualifications.—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. There shall be a Lieutenant Governor, who shall be an executive officer and shall perform the duties prescribed herein. Each cabinet member and the lieutenant governor shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten immediately preceding years shall have been a citizen and resident of the state. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor may form a joint candidacy. No person who has become governor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

Section 5. Cabinet—duties as board of commissioners of state institutions.—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. Appointment of directors—reports.—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) Pardon board—application for pardon.—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) Governor—reprieves—remissions or suspensions of fines.—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) Parole commission.—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. Advisory opinions of justices.—The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. Succession to office of governor—service as acting governor.—The lieutenant governor shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the term.

Upon written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive for the time therein limited.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that such physical incapacity has ceased.

Section 10. Secretary of state—duties.—The secretary of state shall keep the records of official acts of the legislative

and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. Attorney general—duties.—The attorney general shall be an attorney at law and the legal advisor to each officer of the state executive branch.

Section 12. Comptroller—duties.—The comptroller shall examine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. Treasurer—duties.—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor.

Section 14. Superintendent of education—duties.—The state superintendent of education shall supervise the public school system according to law.

Section 15. Commissioner of agriculture — duties. — The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. Game and fresh water fish commission—duties — membership — director — powers — licenses — penalties — state game fund.—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall receive travel and per diem allowances and may receive compensation as provided by law.

(b) The cabinet shall appoint and at pleasure remove a Director, who shall be the executive head of the commission. He shall, subject to approval by the cabinet, appoint, fix the salaries of, and discharge the assistants and employees of the commission and shall exercise other powers and perform other duties prescribed by the cabinet. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

(e) Funds derived from the operation of the commission and from license taxes authorized by this section, and all other funds appropriated or provided from any source for the purposes comprehended by it, shall constitute the State Game Fund and shall be used exclusively by the commission and solely for the purposes provided in this section. Unless otherwise authorized by law the commission shall not incur any obligations exceeding the current amount of the fund.

Section 17. Conservation of salt water fish, shellfish, and products.—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. Railroad and public utilities commission.—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Which amendments read as follows:

Amendment No. 1—

In Section 3, page 2, line 19 (printed bill), strike out the word "adjourning" and insert in lieu thereof the following: "adjourning".

Amendment No. 2—

In Section 7, Sub-section (b), line 4 (printed bill), strike out the period after the word "treason" and add the following "and impeachment".

Amendment No. 3—

In Section 16, (printed bill), strike out all of subsection (e) and insert in lieu thereof the following: (e) Rules and Regulations of the commission may be amended or repealed by general law of statewide application or of application throughout a district or districts established pursuant hereto, but not by any law based on population.

—and respectfully requests the President of the Senate to appoint a Conference Committee on the part of the Senate to confer with a like Committee on the part of the House of Representatives appointed by the Speaker which Committee is composed of Messrs. Chappell of Marion, Chaires of Dixie, Cross of Alachua, Herrell of Dade and Horne of Leon, and as an alternate, Mr. Mathews of Duval, to adjust the differences existing between the two Bodies on Senate Amendments Nos. 1, 2 and 3 to Committee Substitute for House Joint Resolution No. 11-X.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President announced the appointment of Senators Johnson, Rawls, Davis, Adams and Pope as the Committee on the part of the Senate to confer with the Committee on

the part of the House of Representatives to adjust the differences existing between the Senate and the House of Representatives on Senate Amendments Nos. 1, 2 and 3 to Committee Substitute for House Joint Resolution No. 11-X, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate Amendment to—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 16-X—A Joint Resolution proposing revision of Article X of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X EDUCATION

Section 1. Uniform system of free public schools and higher institutions.—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free public schools, and for institutions of higher learning, and may for a period of emergency not to extend beyond the adjournment date for the next regular session of the legislature provide assistance for other non-sectarian schools.

Section 2. State board of education — powers — duties.—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. County school boards — membership — duties.—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund — derivation — use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund—sources—apportionment.—restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school

fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four and one-half (4½) percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947, in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided,

the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds.—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the inter-

locking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Which amendment reads as follows :

Strike out everything after the resolving clause and insert in lieu thereof the following:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X

EDUCATION

Section 1. **Uniform system of free education, including higher learning.**—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free education, including higher learning, as the legislature shall deem proper.

Section 2. **State board of education—powers and duties.**—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. **County school boards—membership—duties.**—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. **State school fund—derivation—use.**—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. **County school fund—sources—apportionment.—restrictions on use.**—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal prop-

erty it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. **School bonds for capital outlay—issuance.**—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947 in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time

upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8 White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the President of the Senate to appoint a Conference Committee on the part of the Senate to confer with a like Committee on the part of the House of Representatives appointed by the Speaker which Committee is composed of Messrs. Chappell of Marion, Chaires of Dixie, Cross of Alachua, Herrell of Dade and Horne of Leon, and as an alternate, Mr. Mathews of Duval, to adjust the differences existing between the two Bodies on Senate Amendment to Committee Substitute for House Joint Resolution No. 16-X.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The President announced the appointment of Senators Johnson, Rawls, Davis, Adams and Pope as the Committee on the part of the Senate to confer with the Committee on the part of the House of Representatives to adjust the differences existing between the Senate and the House of Representatives on the Senate Amendment to Committee Substitute for House Joint Resolution No. 16-X, and the action of the Senate was ordered certified to the House of Representatives immediately.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate Amendments Nos. 1 and 2 to—

By the Committee on Constitutional Amendments—

Committee Substitute for House Joint Resolution No. 30-X
—A Joint Resolution proposing revision of Article XII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII AMENDMENTS

Section 1. Amendment pursuant to legislative action.—The

legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

(4) The resolution shall not be subject to veto.

Section 2. **Submission to electors.**—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. **Effective date — approval by electors.**—If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. **Revision by convention.**—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to prepare and adopt a revision. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The revision as proposed by the convention shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after its adoption by the convention, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election. The secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where

a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. Effective date—approval by electors.—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Which amendments read as follows:

Amendment No. 1—

In Article XII, Section 1, Subsection (3), line 4 (printed bill), after the period following the word "house", strike out remainder of said subsection, and insert in lieu thereof the following: "Amendments thereto shall require a three-fifths majority of those voting thereon, and final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted."

Amendment No. 2—

In Article XII, Section 4, (printed bill), strike out the first sentence in the second paragraph of said section, and insert in lieu thereof the following: "The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election."

—and respectfully requests the President of the Senate to

appoint a Conference Committee on the part of the Senate to confer with a like Committee on the part of the House of Representatives appointed by the Speaker which Committee is composed of Messrs. Chappell of Marion, Chaires of Dixie, Cross of Alachua, Herrell of Dade and Horne of Leon, and as an alternate, Mr. Mathews of Duval, to adjust the differences existing between the two Bodies on Senate Amendments Nos. 1 and 2 to Committee Substitute for House Joint Resolution No. 30-X.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

The President announced the appointment of Senators Johnson, Rawls, Davis, Adams and Pope as the Committee on the part of the Senate to confer with the Committee on the part of the House of Representatives to adjust the differences existing between the Senate and the House of Representatives on Senate Amendments Nos. 1 and 2 to Committee Substitute for House Joint Resolution No. 30-X, and the action of the Senate was ordered certified to the House of Representatives immediately.

Whereupon, the following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has accepted and adopted the report of the Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on House Joint Resolution No. 9-X, Committee Substitute for House Joint Resolution No. 14-X, Senate Joint Resolution No. 9-X(57), Committee Substitute for House Joint Resolution No. 11-X, Committee Substitute for House Joint Resolution No. 16-X and Committee Substitute for House Joint Resolution No. 30-X, which Conference Committee Report reads as follows:

October 9, 1957

*Honorable W. A. Shands,
President of the Senate, and
Honorable Doyle E. Conner,
Speaker of the House of Representatives.*

Sirs:

The undersigned members of the Joint House and Senate Conference Committee this day appointed respectively by the President of the Senate and the Speaker of the House, are pleased to report to the respective houses of the Legislature:

(1) As to House Joint Resolution No. 9-X, we recommend as follows: 1. That all pending Senate amendments be rejected and that the attached Conference Committee Amendment No. 1 relating to Section 10 of Article I be adopted.

(2) As to Committee Substitute for House Joint Resolution No. 14-X, we recommend as follows: 1. That the Senate amendment as to Section 10, subsection (c) of Article VIII be rejected, and the attached Conference Committee Amendment No. 1 relating thereto be adopted.

(3) As to Senate Joint Resolution No. 9-X(57), we recommend as follows: 1. That House Amendment No. 2 be rejected and in lieu thereof, the attached Conference Committee Amendment No. 1 be adopted. 2. That House Amendment No. 3 be adopted. 3. That House Amendment No. 4 providing for the daisy chain be adopted. 4. That House Amendment No. 5 be rejected. 5. That House Amendment No. 6 be adopted. 6. That Conference Committee amendment No. 2 be adopted.

(4) As to Committee Substitute for House Joint Resolution No. 11-X, we recommend as follows: 1. That Senate amendment relating to misspelled "adjourning" be adopted. 2. That Senate amendment No. 2 relating to page 4 be adopted. 3. That Senate amendment No. 3 relating to Section 16, Subsection (e) be rejected. 4. That Conference Commit-

tee amendment No. 1 relating to Section 16, Subsection (e) be adopted.

(5) As to Committee Substitute for House Joint Resolution No. 16-X, we recommend as follows: 1. That the pending Senate amendment thereto be rejected. 2. That Conference Committee amendment No. 1 be adopted.

(6) As to Committee Substitute for House Joint Resolution No. 30-X, we recommend as follows: 1. That all pending Senate amendments be rejected. 2. That Conference Committee amendment No. 1 be adopted.

Your Committee recommends that all the foregoing Resolutions pass as amended in accordance with this report.

Respectfully submitted,

D. M. JOHNSON	WILLIAM V. CHAPPELL, JR.
VERLE A. POPE	J. EMORY CROSS
JOHN RAWLS	HAL CHAIRES
W. T. DAVIS	W. C. HERRELL
TOM ADAMS	MALLORY E. HORNE

Managers on the part of the Senate	Managers on the part of the House of Representatives
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—and pursuant to the provisions of the foregoing Conference Committee Report the House of Representatives has adopted the Conference Committee Amendment to:

By Messrs. Chappell of Marion, Chaires of Dixie, Cross of Alachua, Herrell of Dade and Horne of Leon—

H. J. R. No. 9-X—A Joint Resolution proposing revision of Article I of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article I of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE I

DECLARATION OF RIGHTS

Section 1. **Political power—government.**—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. **Equality—inalienable rights—property rights of foreigners.**—All persons, including foreigners eligible to become citizens of the United States, are equal before the law and have inalienable rights. Among these are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property; but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

Section 3. **Religious freedom.**—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

Section 4. **Freedom of speech and press.**—Every person may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 5. **Assembly—petition.**—The people may assemble peaceably to consult for the common good, may instruct their representatives, and may petition for redress of grievances.

Section 6. **Right to work—collective bargaining.**—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Section 7. **Right to bear arms.**—Every person may keep and bear arms in defense of his home, person, property, and the lawful authority of the state, but the legislature may prescribe the manner of bearing them.

Section 8. **Searches and seizures.**—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and particularly describing the place to be searched and the person or thing to be seized.

Section 9. **Access to courts.**—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Section 10. **Condemnation — preliminary taking.**—Private property shall not be taken without full compensation determined by a jury of twelve. Interim possession may be obtained after commencement of suit upon securing payment by deposit of money, an equitable part of which shall be released upon application of the party entitled. Benefits resulting from improvements proposed to be made by an individual or a private or public corporation, except a governmental corporation when acquiring a road right of way, shall not be applied in reduction of compensation. The legislature may provide for drainage of private land over or through that of another upon payment of full compensation.

Section 11. **Attainder—ex post facto law—impairment of contract.**—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 12. **Indictment—information—plea—sentence.**—No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 13. **Habeas corpus.**—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 14. **Bail.**—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 15. **Jury trial — rights of accused.**—The right of trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 16. **Excessive fines—cruel punishment—attainder—**

detention of witnesses.—Excessive fines, cruel or unusual punishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 17. Involuntary servitude—imprisonment for debt.—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 18. Penalties imposed by administrative agencies.—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. Treason.—Treason against the state consists only of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. Military subordinate to civil—quartering.—The military power is in strict subordination to the civil. No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

Section 21. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles II, III, IV, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—which Conference Committee Amendment reads as follows:

In Section 10 of Article I, strike out: the third sentence after caption beginning with the word "Benefits" and ending with the word "compensation" and insert the following in lieu thereof: "Benefits resulting from improvements proposed to be made by an individual or a private or public corporation shall not be applied in reduction of compensation; provided, the legislature may authorize governmental agencies acquiring road rights of way to offset benefits resulting from proposed improvements against severance damages to property not taken."

—and the House of Representatives has passed House Joint Resolution No. 9-X, as so amended, by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature, which Joint Resolution now reads as follows:

H. J. R. No. 9-X—A Joint Resolution proposing revision of Article I of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article I of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE I

DECLARATION OF RIGHTS

Section 1. Political power—government.—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. Equality—inalienable rights—property rights of foreigners.—All persons, including foreigners eligible to become citizens of the United States, are equal before the law and have inalienable rights. Among these are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property; but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

Section 3. Religious freedom.—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

Section 4. Freedom of speech and press.—Every person may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 5. Assembly—petition.—The people may assemble peaceably to consult for the common good, may instruct their representatives, and may petition for redress of grievances.

Section 6. Right to work—collective bargaining.—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Section 7. Right to bear arms.—Every person may keep and bear arms in defense of his home, person, property, and the lawful authority of the state, but the legislature may prescribe the manner of bearing them.

Section 8. Searches and seizures.—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and particularly describing the place to be searched and the person or thing to be seized.

Section 9. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Section 10. Condemnation — preliminary taking.—Private property shall not be taken without full compensation determined by a jury of twelve. Interim possession may be obtained after commencement of suit upon securing payment by deposit of money, an equitable part of which shall be released upon application of the party entitled. Benefits resulting from improvements proposed to be made by an individual or a private

or public corporation shall not be applied in reduction of compensation; provided, the legislature may authorize governmental agencies acquiring road rights of way to offset benefits resulting from proposed improvements against severance damages to property not taken. The legislature may provide for drainage of private land over or through that of another upon payment of full compensation.

Section 11. Attainder—ex post facto law—impairment of contract.—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 12. Indictment—information—plea—sentence.—No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 13. Habeas corpus.—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 14. Bail.—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 15. Jury trial—rights of accused.—The right of trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 16. Excessive fines—cruel punishment—attainder—detention of witnesses.—Excessive fines, cruel or unusual punishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 17. Involuntary servitude—imprisonment for debt.—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 18. Penalties imposed by administrative agencies.—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. Treason.—Treason against the state consists only of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. Military subordinate to civil—quartering.—The military power is in strict subordination to the civil. No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

Section 21. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles II, III, IV, and VI through XIV. This section is

an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—also pursuant to the provisions of the foregoing Conference Committee Report, the House of Representatives has adopted the Conference Committee Amendment to:

By the Committee on Constitutional Amendments—

Committee Substitute for H. J. R. No. 14-X—A Joint Resolution proposing revision of Article VIII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VIII

TAXATION AND FINANCE

Section 1. Levy of tax pursuant to law—surrender of taxing power prohibited—drawing money from treasury.—No tax shall be levied except as provided by law, and the power of taxation shall never be surrendered, suspended, or contracted away. No money shall be drawn from the treasury except in pursuance of appropriations made by law; provided, expenses of interim legislative committees as provided by concurrent resolution, including compensation of committee employees, may be drawn as legislative expense unless otherwise provided by law.

Section 2. Credit and taxing power—limitations.—The credit of the state shall not be pledged or loaned, directly or indirectly, to any individual, company, corporation, partnership, or association. The state shall not become a joint owner or stockholder in any company, association, or corporation. No tax shall be levied for the benefit of any chartered company. The legislature shall not authorize any county, municipality, special district, or agency of any of them to become a stockholder in any company, association, or corporation, or to obtain, or to appropriate money for, or to loan its credit to, any corporation, association, institution, or individual.

Section 3. State bonds prohibited.—State bonds shall not be issued for any purpose.

Section 4. County, municipal, or district bonds.—No county, municipality, or district shall issue any bonds other than refunding bonds without prior approval by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing therein shall partici-

pate. Such election may be held as a special election on that subject only, or by the use of separate ballots in conjunction with any special or general election.

Section 5. Uniform and equal rate—no state ad valorem tax except on intangibles.—(a) The legislature shall provide for raising sufficient revenue for each fiscal year to defray the expenses of the state, including state appropriations for state institutions of higher learning and the uniform system of free public schools, but no ad valorem tax shall be levied for any state purpose on any property except intangible personal property. The rate of taxation on all property except intangible personal property shall be uniform and equal.

(b) The legislature may levy on intangible personal property, in lieu of all other state, county, district, and municipal taxes, a tax at special rates not exceeding two mills of the assessed valuation, but any such intangible tax relating to an obligation secured by lien evidenced by writing shall be imposed only once. The instrument shall not be entitled to record until the tax is paid.

(c) The legislature may apportion the proceeds of intangible taxes.

Section 6. Motor vehicle license tax.—Motor vehicles shall be subject to a license tax on an annual basis for their operation in lieu of all ad valorem taxes on them as personal property.

Section 7. Income tax prohibited—limit on inheritance or estate tax.—No tax shall be levied by the state or under its authority upon the income, inheritances, or estates of citizens or residents of the state; provided, the legislature may provide for the assessment, levy, and collection of a tax upon inheritances or estates of decedents not exceeding in the aggregate the amounts which may by any law of the United States be credited against or deducted from any similar tax on inheritances, or taxes on estates, assessed or levied by the United States on the same subject. The legislature may apportion all taxes collected hereunder to any state, county, or municipal purposes.

Section 8. Allocation of pari mutuel excise taxes.—The legislature shall have the power to allocate and distribute to the counties, in equal amounts and at such times as it shall determine, any portion or all of the proceeds of state excise taxes on the operation of pari mutuel pools.

Section 9. (a) Board of administration—gasoline and like taxes—distribution and use.—Until January 1, 1993, the proceeds of two cents per gallon of the total tax levied by state law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the State Roads Distribution Fund in the state treasury and divided into three equal parts which shall be distributed monthly among the several counties as follows:

One part according to area, one part according to population, and one part according to the counties' contributions to the cost of state road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931, and for the purpose of the apportionment based on the counties' contributions for the cost of state road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(b) The governor as chairman, the state treasurer, and the state comptroller shall constitute a body corporate to be known as the State Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control, and supervision of the proceeds of said two cents of said taxes and all moneys and other assets which on January 1, 1943, are applicable or may become applicable to the bonds of the several counties of this state, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1, 1931, for road and bridge purposes. The word "bonds" as used herein shall include bonds, time warrants, notes, and other forms of indebtedness, issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1, 1931, or any refunding issues

thereof. Said board shall have the statutory powers of boards of county commissioners and bond trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents, and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature prior to January 1, 1993, for any of said outstanding bonds or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three percent per annum in such denominations and maturing at such time prior to January 1, 1993, as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds created for said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing bonds participating herein of any other county or any other special road and bridge district, or other special taxing district thereof, provided that as to said matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three percent per annum.

(c) The said board shall annually use said funds in each county account, first, to pay current principal and interest maturing, if any, of said bonds and gasoline or other fuel tax anticipation certificates of such county or special road and bridge district, or other special taxing district thereof; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two cents of said taxes shall monthly during the year be remitted by said board as follows: Eighty percent to the State Road Department for the construction or reconstruction of state roads and bridges within the county, or for the lease or purchase of bridges connecting state highways within the county, and twenty percent to the board of county commissioners of such county for use on roads and bridges therein.

(d) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1943. The legislature shall continue the levies of said taxes during the life of this section, and shall not enact any law having the effect of withdrawing the proceeds of said two cents of said taxes from the operation of this section. The board shall pay refunding expenses and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

Section 10. Tax exemptions.—(a) **Personal effects and household goods of family head.**—No tax shall be levied on \$500 of the assessed valuation of household goods and personal effects of the head of a family residing in this state, or on \$500 of the assessed valuation of property of a widow residing in this state or of a resident who has lost a limb or been disabled by war or other misfortune. These exemptions may be claimed concurrently.

(b) **Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of \$5,000 on the said home and

contiguous real property, as defined in Article IX hereof. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than \$5,000 shall be allowed to any one person or on any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

(c) **Religious, charitable, and other institutions.**—Property held and used exclusively for religious, charitable, educational, literary, scientific, state, county, or municipal purposes, shall be exempt from taxation, and the legislature may exempt from taxation the property of a corporation authorized to construct a ship or barge canal for public use.

(d) No tax exemption shall be granted unless authorized herein.

Section 11. Local taxation.—The legislature shall make adequate provision for the assessment of property for taxation and the levying of taxes and of assessments for special benefits by counties and municipalities and by or for districts, for their respective purposes and for no other purpose. The legislature shall prescribe regulations that will insure a just valuation of all taxable real and personal property, and all assessments shall be subject to review, equalization, or adjustment as provided by law. The rate of taxation shall be uniform and equal.

Section 12. Illegal tax—prerequisite to relief.—Each taxpayer shall pay into court the portion of his taxes admitted to be regularly assessed and legally imposed before he can seek judicial relief from payment of the remainder, and before such relief is granted he shall pay any additional amount found to be due.

Section 13. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, and IX through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—which Conference Committee Amendment reads as follows:

In Section 10, Sub-section (c) of Article VIII strike out: all of Subsection (c) and insert the following in lieu thereof:

(c) **Religious, charitable, and other institutions.**—Property

held and used exclusively for state, county, or municipal purposes shall be exempt from taxation, and the legislature may exempt from taxation property held and used exclusively for religious, charitable, educational, literary, or scientific purposes, and property of a corporation authorized to construct a ship or barge canal across the state.

—and the House of Representatives has passed Committee Substitute for House Joint Resolution No. 14-X, as so amended, by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature, which Joint Resolution now reads as follows:

Committee Substitute for H. J. R. No. 14-X—A Joint Resolution proposing revision of Article VIII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VIII

TAXATION AND FINANCE

Section 1. Levy of tax pursuant to law—surrender of taxing power prohibited—drawing money from treasury.—No tax shall be levied except as provided by law, and the power of taxation shall never be surrendered, suspended, or contracted away. No money shall be drawn from the treasury except in pursuance of appropriations made by law; provided, expenses of interim legislative committees as provided by concurrent resolution, including compensation of committee employees, may be drawn as legislative expense unless otherwise provided by law.

Section 2. Credit and taxing power—limitations.—The credit of the state shall not be pledged or loaned, directly or indirectly, to any individual, company, corporation, partnership, or association. The state shall not become a joint owner or stockholder in any company, association, or corporation. No tax shall be levied for the benefit of any chartered company. The legislature shall not authorize any county, municipality, special district, or agency of any of them to become a stockholder in any company, association, or corporation, or to obtain, or to appropriate money for, or to loan its credit to, any corporation, association, institution, or individual.

Section 3. State bonds prohibited.—State bonds shall not be issued for any purpose.

Section 4. County, municipal, or district bonds.—No county, municipality, or district shall issue any bonds other than refunding bonds without prior approval by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing therein shall participate. Such election may be held as a special election on that subject only, or by the use of separate ballots in conjunction with any special or general election.

Section 5. Uniform and equal rate—no state ad valorem tax except on intangibles.—(a) The legislature shall provide for raising sufficient revenue for each fiscal year to defray the expenses of the state, including state appropriations for state institutions of higher learning and the uniform system of free public schools, but no ad valorem tax shall be levied for any state purpose on any property except intangible personal property. The rate of taxation on all property except intangible personal property shall be uniform and equal.

(b) The legislature may levy on intangible personal property, in lieu of all other state, county, district, and municipal taxes, a tax at special rates not exceeding two mills of the assessed valuation, but any such intangible tax relating to an obligation secured by lien evidenced by writing shall be imposed only once. The instrument shall not be entitled to record until the tax is paid.

(c) The legislature may apportion the proceeds of intangible taxes.

Section 6. Motor vehicle license tax.—Motor vehicles shall be subject to a license tax on an annual basis for their op-

eration in lieu of all ad valorem taxes on them as personal property.

Section 7. Income tax prohibited—limit on inheritance or estate tax.—No tax shall be levied by the state or under its authority upon the income, inheritances, or estates of citizens or residents of the state; provided, the legislature may provide for the assessment, levy, and collection of a tax upon inheritances or estates of decedents not exceeding in the aggregate the amounts which may by any law of the United States be credited against or deducted from any similar tax on inheritances, or taxes on estates, assessed or levied by the United States on the same subject. The legislature may apportion all taxes collected hereunder to any state, county or municipal purposes.

Section 8. Allocation of pari mutuel excise taxes.—The legislature shall have the power to allocate and distribute to the counties, in equal amounts and at such times as it shall determine, any portion or all of the proceeds of state excise taxes on the operation of pari mutuel pools.

Section 9. (a) Board of administration—gasoline and like taxes—distribution and use.—Until January 1, 1993, the proceeds of two cents per gallon of the total tax levied by state law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the State Roads Distribution Fund in the state treasury and divided into three equal parts which shall be distributed monthly among the several counties as follows:

One part according to area, one part according to population, and one part according to the counties' contributions to the cost of state road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931, and for the purpose of the apportionment based on the counties' contributions for the cost of state road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(b) The governor as chairman, the state treasurer, and the state comptroller shall constitute a body corporate to be known as the State Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control, and supervision of the proceeds of said two cents of said taxes and all moneys and other assets which on January 1, 1943, are applicable or may become applicable to the bonds of the several counties of this state, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1, 1931, for road and bridge purposes. The word "bonds" as used herein shall include bonds, time warrants, notes, and other forms of indebtedness issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1, 1931, or any refunding issues thereof. Said board shall have the statutory powers of boards of county commissioners and bond trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents, and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature prior to January 1, 1993, for any of said outstanding bonds or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three percent per annum in such denominations and maturing at such time prior to January 1, 1993, as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds created for said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing bonds participating herein of any other county or any other special road and bridge district, or other

special taxing district thereof, provided that as to said matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three percent per annum.

(c) The said board shall annually use said funds in each county account, first, to pay current principal and interest maturing, if any, of said bonds and gasoline or other fuel tax anticipation certificates of such county or special road and bridge district, or other special taxing district thereof; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two cents of said taxes shall monthly during the year be remitted by said board as follows: Eighty percent to the State Road Department for the construction or reconstruction of state roads and bridges within the county, or for the lease or purchase of bridges connecting state highways within the county, and twenty percent to the board of county commissioners of such county for use on roads and bridges therein.

(d) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1943. The legislature shall continue the levies of said taxes during the life of this section, and shall not enact any law having the effect of withdrawing the proceeds of said two cents of said taxes from the operation of this section. The board shall pay refunding expenses and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

Section 10. Tax exemptions.—(a) **Personal effects and household goods of family head.**—No tax shall be levied on \$500 of the assessed valuation of household goods and personal effects of the head of a family residing in this state, or on \$500 of the assessed valuation of property of a widow residing in this state or of a resident who has lost a limb or been disabled by war or other misfortune. These exemptions may be claimed concurrently.

(b) **Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of \$5,000 on the said home and contiguous real property, as defined in Article IX hereof. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than \$5,000 shall be allowed to any one person or on any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

(c) **Religious, charitable, and other institutions.**—Property held and used exclusively for state, county, or municipal purposes shall be exempt from taxation, and the legislature may exempt from taxation property held and used exclusively for religious, charitable, educational, literary, or scientific purposes, and property of a corporation authorized to construct a ship or barge canal across the state.

(d) No tax exemption shall be granted unless authorized herein.

Section 11. Local taxation.—The legislature shall make adequate provision for the assessment of property for taxation and the levying of taxes and of assessments for special bene-

fits by counties and municipalities and by or for districts, for their respective purposes and for no other purpose. The legislature shall prescribe regulations that will insure a just valuation of all taxable real and personal property, and all assessments shall be subject to review, equalization, or adjustment as provided by law. The rate of taxation shall be uniform and equal.

Section 12. Illegal tax—prerequisite to relief.—Each taxpayer shall pay into court the portion of his taxes admitted to be regularly assessed and legally imposed before he can seek judicial relief from payment of the remainder, and before such relief is granted he shall pay any additional amount found to be due.

Section 13. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, and IX through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—also pursuant to the provisions of the foregoing Conference Committee Report pertaining to:

By Senators Johnson, Rawls, Davis and Adams—

Senate Joint Resolution No. 9-X(57):

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VII

LOCAL GOVERNMENT

Section 1. Counties—municipalities—special districts—powers and functions.—All powers of local government shall be exercised by counties, municipalities, and special districts, and shall be limited to those delegated herein or by the legislature. They shall also perform such state functions as the legislature may provide.

Section 2. Counties as political subdivisions—county seats.

—The state shall be divided into political subdivisions called counties. The counties and their respective county seats as now established are recognized, and no county seat may be changed except by vote of the electors; provided, in the formation of new counties the county seat may be temporarily established by law.

Section 3. Establishment of new counties.—The legislature shall have power to establish new counties and to change county lines. Every newly established county shall be held liable for its proportion of the then existing liabilities of the county or counties from which it shall be formed, rated upon the basis of the assessed value of the property, both real and personal, subject to taxation within the territory taken from any county or counties; and every county acquiring additional territory from another county shall be held liable for its proportion of the liabilities of such other county existing at the time of such acquisition, to be rated upon the basis of the assessed value of all property subject to taxation within such acquired territory.

Section 4. Location of county offices—public records.—The principal offices and permanent records of all county officers shall be at the county seat; provided, by vote of the electors, branch offices for the conduct of county business and facilities for court proceedings may be established elsewhere in the county. No instrument shall be deemed recorded until filed in the proper office at the county seat.

Section 5. (a) Commissioner districts—decennial revision—county commission.—Each county shall be divided into five commissioner districts numbered consecutively, and its governing body shall be a Board of County Commissioners, consisting of five members, one from each commissioner district. Upon certification of each decennial federal census the board of county commissioners shall forthwith revise the boundaries of the commissioner districts so that according thereto they will be approximately equal in population, giving consideration to geographic area.

(b) County officers—selection—term of office.—The following officers shall be elected by and from among the electors of each county for a term of four years: one member of the board of county commissioners from each commissioner district, one member of the County School Board from each commissioner district unless otherwise provided by law, County Judge or Judges as provided herein, Clerk of the Circuit Court, Sheriff, Tax Assessor, Tax Collector, County School Superintendent, and Supervisor of Registration; provided, by local or general law subject to the approval of the electors of any county, each member of the board of county commissioners and of the county school board shall be elected by and from among the electors of the district within which he resides and qualifies for office. Each member of the board of county commissioners and of the county school board shall reside in the district from which elected. Successors to those members of the board of county commissioners representing odd-numbered districts and of the county school board representing even-numbered districts shall be elected in 1960, and successors to those representing respectively even-numbered districts and odd-numbered districts shall be elected in 1962; provided, succession to county school board membership may be changed by law.

Section 6. Welfare.—Counties shall provide in the manner prescribed by law for residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune.

Section 7. Alcoholic beverages—county option.—Upon petition of one fourth of the electors of a county the board of county commissioners shall provide for a special election to determine whether sale of all intoxicating beverages shall be prohibited therein or to determine the method of such sale where permitted; and in like manner an election shall be held in a county prohibiting sale to determine whether such prohibition shall be removed. The election shall be held within sixty days from presentation of the petition unless a regular primary or general election falls within such period, in which event it shall be held within sixty days thereafter. Not more than one such election shall be held in any two-year period.

Section 8. Criminal cases—costs and fines.—In all criminal cases prosecuted in the name of the state against an insolvent or discharged defendant, the county in which the case was

prosecuted shall under regulations prescribed by law pay the legal costs. All fines and forfeitures collected in each county under the state penal laws shall be applied to payment of costs and expenses of prosecuting crimes therein.

Section 9. Municipalities — establishment — abolition — government — protection of creditors.—The legislature may establish and abolish municipalities, may provide for their government, and may prescribe and alter at any time their jurisdiction and powers. Whenever a municipality is abolished, provision shall be made for the protection of its creditors.

Section 10. Municipal taxes—assessment and collection by county officers.—Subject to approval by vote of the municipal electors at a special election held separately or with any other election the legislature may by general, special, or local law provide for assessment and collection of the taxes of any municipality by the tax assessor and tax collector respectively of the county in which it is situated and for payment by the municipality of reasonable compensation to these county officers for performance of these additional duties.

Section 11. Special districts lying in one county—governing board.—Unless otherwise provided by law, the governing board of special districts lying wholly within a county shall be the board of county commissioners of the county. The legislature may provide by law for the appointment of the governing board by the governor or by the board of county commissioners, or for election thereof by the electors.

Section 12. Special districts lying in more than one county—government.—The legislature by special or local law may create special districts that include territory lying in more than one county and may prescribe their form of government, powers, and duties.

Section 13. Local governmental units — cooperation with other governmental units.—Any local governmental unit may contract and cooperate with other local governmental units, with the state, or with the United States in the exercise of any of its authorized proprietary functions for the planning, development, construction, acquisition, or operation of any public improvement or facility or for a common service.

Section 14. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, and VIII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

—the House of Representatives has receded from House Amendment No. 2.

In Section 5, Sub-section (b) of Article VII strike out: Subsection (b) and insert the following in lieu thereof:

(b) **County officers—selection—term of office.**—The following officers shall be elected by and from among the electors of each county for a term of four years: One member of the board of county commissioners from each commissioner dis-

trict, one member of the County School Board from each commissioner district unless otherwise provided by law, County Judge or Judges as provided herein, Clerk of the Circuit Court, Sheriff, Tax Assessor, Tax Collector, County School Superintendent except in those counties where he is appointed according to law at the effective date hereof, and Supervisor of Registration; provided, by local or general law subject to the approval of the electors of any county, the county school superintendent shall be appointed by and serve at the pleasure of the county school board, and not less than four years after so providing the county may by the same method provide for his election. Successors to those members of the board of county commissioners representing odd-numbered districts and of the county school board representing even-numbered districts shall be elected in 1960, and successors to those representing respectively even-numbered districts and odd-numbered districts shall be elected in 1962; provided, this method of electing county school board members may be changed by law.

—and

House Amendment No. 5.

After Section 5 of Article VII insert the following as Section 6:

Section 6. County ordinances—legislative grant of authority to enact.—The legislature may by special or local law authorize any board of county commissioners to enact county ordinances. Each law shall specify the subjects to which the ordinances shall be confined. No such law shall conflict with any general law; no ordinance shall conflict with any general, special, or local law; and the legislature may amend or repeal any ordinance.

And renumber the remaining sections of the article.

—and has adopted:

Conference Committee Amendment No. 1—

In Section 5, Sub-section (b), of Article VII, following the words "Supervisor of Registration;" in line 8 strike out: the remainder of the sentence, and insert the following in lieu thereof: provided, by local law subject to the approval of the electors of the county (1) the county school superintendent shall be appointed by and serve at the pleasure of the county school board, and (2) each member of the board of county commissioners, and also of the county school board unless otherwise provided by law, shall be elected by and from among the electors of the district within which he resides and qualifies for office, and in either event, not less than four years after so providing, the county may by the same method revoke such change.

—and

Conference Committee Amendment No. 2—

In Article VII insert the following: as a new Section 6:

Section 6. County ordinances—legislative grant of authority to enact.—The legislature, by local law only, may authorize a board of county commissioners to enact county ordinances; provided, the legislature may by general law limit the subjects on which county ordinances may be enacted, and thereafter no deviation from such general law shall be made except by amendment thereof by general law. Each such local law shall specify precisely the subjects to which the ordinances shall be confined. No ordinance shall conflict with any general, special, or local law except as provided in the local law authorizing the ordinance, and the legislature may amend or repeal any ordinance.

Renumber the remaining sections of the article.

—and having previously adopted the following House Amendments—

House Amendment No. 1—

In Section 4 of Article VII, strike out: all of the section after the caption and insert the following in lieu thereof: The principal offices and permanent records of all county officers shall be at the county seat; provided, branch offices for the conduct of county business and facilities for court proceedings including jury trials in civil cases may be

established by law elsewhere in the county. No instrument shall be deemed recorded until filed at the county seat according to law.

House Amendment No. 3—

In Section 12 of Article VII, strike out: all of the section after the caption and insert the following in lieu thereof: The legislature by special or local law may for special purposes create special districts that include territory lying in more than one county and may prescribe the composition, powers, and duties of their governing bodies.

House Amendment No. 4—

Add the following section at the end of the resolution:

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

House Amendment No. 6—

In Section 5, Sub-section (b) of Article VII as amended, just before the sentence beginning: "Successors to those members of the board of county commissioners representing . . .", insert the following sentence: "In counties having justice districts a Constable shall be elected for a term of four years by and from among the electors of each district."

—the House of Representatives has passed Senate Joint Resolution No. 9-X, as amended by the Conference Committee Amendments and the House Amendments, by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature, which Joint Resolution now reads as follows:

Senate Joint Resolution No. 9-X(57)—

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VII

LOCAL GOVERNMENT

Section 1. Counties—municipalities—special districts—powers and functions.—All powers of local government shall be exercised by counties, municipalities, and special districts, and shall be limited to those delegated herein or by the legislature. They shall also perform such state functions as the legislature may provide.

Section 2. Counties as political subdivisions—county seats.—The state shall be divided into political subdivisions called counties. The counties and their respective county seats as now established are recognized, and no county seat may be changed except by vote of the electors; provided, in the formation of new counties the county seat may be temporarily established by law.

Section 3. Establishment of new counties.—The legislature shall have power to establish new counties and to change county lines. Every newly established county shall be held liable for its proportion of the then existing liabilities of the county or counties from which it shall be formed, rated upon the basis of the assessed value of the property, both real and personal, subject to taxation within the territory taken from any county or counties; and every county acquiring additional territory from another county shall be held liable for its proportion of the liabilities of such other county existing at the time of such acquisition, to be rated upon the basis of the assessed value of all property subject to taxation within such acquired territory.

Section 4. Location of county offices—public records.—The

principal offices and permanent records of all county officers shall be at the county seat; provided, branch offices for the conduct of county business and facilities for court proceedings including jury trials in civil cases may be established by law elsewhere in the county. No instrument shall be deemed recorded until filed at the county seat according to law.

Section 5. (a) Commissioner districts—decennial revision—county commission.—Each county shall be divided into five commissioner districts numbered consecutively, and its governing body shall be a Board of County Commissioners, consisting of five members, one from each commissioner district. Upon certification of each decennial federal census the board of county commissioners shall forthwith revise the boundaries of the commissioner districts so that according thereto they will be approximately equal in population, giving consideration to geographic area.

(b) County officers—selection—term of office.—The following officers shall be elected by and from among the electors of each county for a term of four years: one member of the board of county commissioners from each commissioner district, one member of the County School Board from each commissioner district unless otherwise provided by law, County Judge or Judges as provided herein, Clerk of the Circuit Court, Sheriff, Tax Assessor, Tax Collector, County School Superintendent, and Supervisor of Registration; provided, by local law subject to the approval of the electors of the county (1) the county school superintendent shall be appointed by and serve at the pleasure of the county school board, and (2) each member of the board of county commissioners, and also of the county school board unless otherwise provided by law, shall be elected by and from among the electors of the district within which he resides and qualifies for office, and in either event, not less than four years after so providing, the county may by the same method revoke such change. Each member of the board of county commissioners and of the county school board shall reside in the district from which elected. In counties having justice districts a Constable shall be elected for a term of four years by and from among the electors of each district. Successors to those members of the board of county commissioners representing odd-numbered districts and of the county school board representing even-numbered districts shall be elected in 1960, and successors to those representing respectively even-numbered districts and odd-numbered districts shall be elected in 1962; provided, succession to county school board membership may be changed by law.

Section 6. County ordinances—legislative grant of authority to enact.—The legislature, by local law only, may authorize a board of county commissioners to enact county ordinances; provided, the legislature may by general law limit the subjects on which county ordinances may be enacted, and thereafter no deviation from such general law shall be made except by amendment thereof by general law. Each such local law shall specify precisely the subjects to which the ordinances shall be confined. No ordinance shall conflict with any general, special, or local law except as provided in the local law authorizing the ordinance, and the legislature may amend or repeal any ordinance.

Section 7. Welfare.—Counties shall provide in the manner prescribed by law for residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune.

Section 8. Alcoholic beverages—county option.—Upon petition of one fourth of the electors of a county the board of county commissioners shall provide for a special election to determine whether sale of all intoxicating beverages shall be prohibited therein or to determine the method of such sale where permitted; and in like manner an election shall be held in a county prohibiting sale to determine whether such prohibition shall be removed. The election shall be held within sixty days from presentation of the petition unless a regular primary or general election falls within such period, in which event it shall be held within sixty days thereafter. Not more than one such election shall be held in any two-year period.

Section 9. Criminal cases—costs and fines.—In all criminal cases prosecuted in the name of the state against an insolvent or discharged defendant, the county in which the case was prosecuted shall under regulations prescribed by law pay the legal costs. All fines and forfeitures collected in each county under the state penal laws shall be applied to payment of costs and expenses of prosecuting crimes therein.

Section 10. Municipalities — establishment — abolition — government — protection of creditors.—The legislature may establish and abolish municipalities, may provide for their government, and may prescribe and alter at any time their jurisdiction and powers. Whenever a municipality is abolished, provision shall be made for the protection of its creditors.

Section 11. Municipal taxes—assessment and collection by county officers.—Subject to approval by vote of the municipal electors at a special election held separately or with any other election the legislature may by general, special, or local law provide for assessment and collection of the taxes of any municipality by the tax assessor and tax collector respectively of the county in which it is situated and for payment by the municipality of reasonable compensation to these county officers for performance of these additional duties.

Section 12. Special districts lying in one county—governing board.—Unless otherwise provided by law, the governing board of special districts lying wholly within a county shall be the board of county commissioners of the county. The legislature may provide by law for the appointment of the governing board by the governor or by the board of county commissioners, or for election thereof by the electors.

Section 13. Special districts lying in more than one county—government.—The legislature by special or local law may for special purposes create special districts that include territory lying in more than one county and may prescribe the composition, powers, and duties of their governing bodies.

Section 14. Local governmental units — cooperation with other governmental units.—Any local governmental unit may contract and cooperate with other local governmental units, with the state, or with the United States in the exercise of any of its authorized proprietary functions for the planning, development, construction, acquisition, or operation of any public improvement or facility or for a common service.

Section 15. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, and VIII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

--also pursuant to the provisions of the foregoing Conference Committee report pertaining to:

By the Committee on Constitutional Amendments—

Committee Substitute for H. J. R. No. 11-X—A Joint Resolution proposing revision of Article IV of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV

EXECUTIVE

Section 1. Governor—chief executive—commander-in-chief —grants—commissions.—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. Governor—message to legislature.—At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. Governor—suspensions—filling office during suspensions.—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension, and such evidence as the officer may desire to offer in his defense, shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it sustains the suspension or fails to act or postpone consideration before adjourning, the officer shall be removed from office as of the date of the original order of suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. Cabinet — membership — lieutenant governor—election — term — qualifications.—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. There shall be a Lieutenant Governor, who shall be an executive officer and shall perform the duties prescribed herein. Each cabinet member and the lieutenant governor shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten immediately preceding years shall have been a citizen and resident of the state. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor may form a joint candidacy. No person who has become gov-

ernor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

Section 5. Cabinet—duties as board of commissioners of state institutions.—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. Appointment of directors—reports.—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) Pardon board—application for pardon.—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) Governor—reprieves—remissions or suspensions of fines.—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) Parole commission.—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. Advisory opinions of justices.—The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. Succession to office of governor—service as acting governor.—The lieutenant governor shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the term.

Upon written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive for the time therein limited.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet mem-

bers; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that such physical incapacity has ceased.

Section 10. Secretary of state—duties.—The secretary of state shall keep the records of official acts of the legislative and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. Attorney general—duties.—The attorney general shall be an attorney at law and the legal advisor to each officer of the state executive branch.

Section 12. Comptroller—duties.—The comptroller shall examine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. Treasurer—duties.—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor.

Section 14. Superintendent of education—duties.—The state superintendent of education shall supervise the public school system according to law.

Section 15. Commissioner of agriculture—duties.—The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. Game and fresh water fish commission—duties — membership — director — powers — licenses — penalties — state game fund.—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall receive travel and per diem allowances and may receive compensation as provided by law.

(b) The cabinet shall appoint and at pleasure remove a Director, who shall be the executive head of the commission. He shall, subject to approval by the cabinet, appoint, fix the salaries of, and discharge the assistants and employees of the commission and shall exercise other powers and perform other duties prescribed by the cabinet. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

(e) Funds derived from the operation of the commission and from license taxes authorized by this section, and all other funds appropriated or provided from any source for the purposes comprehended by it, shall constitute the State Game Fund and shall be used exclusively by the commission and solely for the purposes provided in this section. Unless otherwise authorized by law the commission shall not incur any obligations exceeding the current amount of the fund.

Section 17. Conservation of salt water fish, shellfish, and products.—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply

uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. Railroad and public utilities commission.—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—the House of Representatives has concurred in:

Senate Amendment No. 1—

In Section 3, page 2, line 19 (printed bill), strike out the word "adjourning" and insert in lieu thereof the following: "adjourning"

—and

Senate Amendment No. 2—

In Section 7, Subsection (b), line 4 (printed bill), strike out the period after the word "treason" and add the following "and impeachment."

—and has adopted the Conference Committee Amendment, which reads as follows:

In Section 16, Subsection (e) of Article IV strike out: the entire sub-section, and insert the following in lieu thereof:

(e) The legislature shall by law provide funds for the operation of the commission under this section.

—and the House of Representatives has passed Committee Substitute for House Joint Resolution No. 11-X, as amended by the Senate Amendments and the Conference Committee Amendment, by the required Constitutional three-fifths vote of all Members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature, which Joint Resolution now reads as follows:

Committee Substitute for H. J. R. No. 11-X—A Joint Resolution proposing revision of Article IV of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV

EXECUTIVE

Section 1. Governor—chief executive—commander-in-chief—grants—commissions.—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. Governor—message to legislature.—At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. Governor—suspensions—filling office during suspensions.—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension, and such evidence as the officer may desire to offer in his defense, shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it sustains the suspension or fails to act or postpone consideration before adjourning, the officer shall be removed from office as of the date of the original order of suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. Cabinet — membership — lieutenant governor — election — term — qualifications.—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. There shall be a Lieutenant Governor, who shall be an executive officer and shall perform the duties prescribed herein. Each cabinet member and the lieutenant governor shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten immediately preceding years shall have been a citizen and resident of the state. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor may form a joint candidacy. No person who has become governor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

Section 5. Cabinet—duties as board of commissioners of state institutions.—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. Appointment of directors—reports.—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) Pardon board—application for pardon.—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) Governor—reprieves—remissions or suspensions of fines.—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason and impeachment. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) Parole commission.—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. Advisory opinions of justices.—The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. Succession to office of governor—service as acting governor.—The lieutenant governor shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the term.

Upon written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive for the time therein limited.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that such physical incapacity has ceased.

Section 10. Secretary of state—duties.—The secretary of state shall keep the records of official acts of the legislative

and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. Attorney general—duties.—The attorney general shall be an attorney at law and the legal advisor to each officer of the state executive branch.

Section 12. Comptroller—duties.—The comptroller shall examine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. Treasurer—duties.—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor.

Section 14. Superintendent of education—duties.—The state superintendent of education shall supervise the public school system according to law.

Section 15. Commissioner of agriculture—duties.—The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. Game and fresh water fish commission—duties—membership—director—powers—licenses—penalties—state game fund.—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall receive travel and per diem allowances and may receive compensation as provided by law.

(b) The cabinet shall appoint and at pleasure remove a Director, who shall be the executive head of the commission. He shall, subject to approval by the cabinet, appoint, fix the salaries of, and discharge the assistants and employees of the commission and shall exercise other powers and perform other duties prescribed by the cabinet. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

(e) The legislature shall by law provide funds for the operation of the commission under this section.

Section 17. Conservation of salt water fish, shellfish, and products.—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish, and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. Railroad and public utilities commission.—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. Effective date of this article.—This article is

one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—also pursuant to the provisions of the Conference Committee Report, the House of Representatives has adopted the Conference Committee Amendment to:

By the Committee on Constitutional Amendments—

Committee Substitute for H. J. R. No. 16-X—A Joint Resolution proposing revision of Article X of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X

EDUCATION

Section 1. **Uniform system of free public schools and higher institutions.**—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free public schools, and for institutions of higher learning, and may for a period of emergency not to extend beyond the adjournment date for the next regular session of the legislature provide assistance for other non-sectarian schools.

Section 2. **State board of education — powers — duties.** — The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. **County school boards — membership — duties.**—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. **State school fund — derivation — use.** — The State School Fund shall consist of the proceeds of all lands

granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. **County school fund — sources — apportionment. — restrictions on use.** — Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. **School bonds for capital outlay — issuance.**—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four and one-half (4½) percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to

January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947, in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county

as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds.—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special

tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—which Conference Committee Amendment reads as follows:

In Section 6, Sub-section (f) of Article X, following the words "and after January 1, 1953," in the fifth line strike out: the period, insert a semicolon, and add: "provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section."

—and the House of Representatives has passed Committee Substitute for House Joint Resolution No. 16-X, as amended by the Conference Committee Amendment, by the required Constitutional three-fifths vote of all Members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature, which Joint Resolution now reads as follows:

Committee Substitute for H. J. R. No. 16-X—A Joint Resolution proposing revision of Article X of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X

EDUCATION

Section 1. Uniform system of free public schools and higher institutions.—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free public schools, and for institutions of higher learning, and may

for a period of emergency not to extend beyond the adjournment date for the next regular session of the legislature provide assistance for other non-sectarian schools.

Section 2. State board of education — powers — duties.—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. County school boards — membership — duties.—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund — derivation — use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund — sources — apportionment. — restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purpose of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other consti-

tutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four and one-half (4½) percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equip-

ping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947, in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking

fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds.—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—also pursuant to the provisions of the foregoing Conference Committee Report, the House of Representatives has adopted the Conference Committee Amendment to:

By the Committee on Constitutional Amendments—

Committee Substitute for H. J. R. No. 30-X—A Joint Resolution proposing revision of Article XII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or re-

jection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII

AMENDMENTS

Section 1. Amendment pursuant to legislative action.—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

(4) The resolution shall not be subject to veto.

Section 2. Submission to electors.—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. Effective date—approval by electors.—If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. Revision by convention.—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to prepare and adopt a revision. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The revision as proposed by the convention shall be submit-

ted to the electors for ratification or rejection at the next general election held more than seventy days after its adoption by the convention, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election. The secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. Effective date—approval by electors.—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature

—which Conference Committee Amendment reads as follows:

In Section 4 of Article XII strike out: the entire section and insert the following in lieu thereof:

Section 4. Revision by convention.—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to adopt and submit a revision to it for its consideration. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision

submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election.

Alternatively, by vote of three fourths of the membership of each house with the yeas and nays entered on the journals, the legislature may provide in the resolution providing for the convention that the revision proposed by the convention shall be submitted directly to the electors for ratification or rejection at the next general election held more than seventy days after adoption thereof by the convention.

In either event the secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

—and the House of Representatives has passed Committee Substitute for House Joint Resolution No. 30-X, as amended by the Conference Committee Amendment, by the required Constitutional three-fifths vote of all Members elected to the House of Representatives for the 1957 Extraordinary Session of the Florida Legislature, which Joint Resolution now reads as follows:

Committee Substitute for H. J. R. No. 30-X—A Joint Resolution proposing revision of Article XII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII

AMENDMENTS

Section 1. Amendment pursuant to legislative action.—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

(4) The resolution shall not be subject to veto.

Section 2. Submission to electors.—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of

three fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. Effective date — approval by electors. — If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. Revision by convention. — Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to adopt and submit a revision to it for its consideration. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election.

Alternatively, by vote of three fourths of the membership of each house with the yeas and nays entered on the journals, the legislature may provide in the resolution providing for the convention that the revision proposed by the convention shall be submitted directly to the electors for ratification or rejection at the next general election held more than seventy days after adoption thereof by the convention.

In either event the secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. Effective date—approval by electors.—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional pro-

visions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Johnson moved the adoption of the Conference Committee Report on House Joint Resolution No. 9-X, Committee Substitute for House Joint Resolution No. 14-X, Senate Joint Resolution No. 9-X(57), Committee Substitute for House Joint Resolution No. 11-X, Committee Substitute for House Joint Resolution No. 16-X and Committee Substitute for House Joint Resolution No. 30-X, as contained and set forth in the foregoing message from the House of Representatives.

Upon call of the roll on the motion made by Senator Johnson, the vote was:

Yeas—29.

Mr. President	Carraway	Hodges	Pearce
Adams	Clarke	Johns	Rawls
Beall	Connor	Johnson	Stenstrom
Bishop	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Getzen	Morgan	
Carlton	Hair	Neblett	

Nays—6.

Boyd	Eaton	Houghton	Pope
Cabot	Gautier		

So the Conference Committee Report on House Joint Resolution No. 9-X, Committee Substitute for House Joint Resolution No. 14-X, Senate Joint Resolution No. 9-X (57), Committee Substitute for House Joint Resolution No. 11-X, Committee Substitute for House Joint Resolution No. 16-X and Committee Substitute for House Joint Resolution No. 30-X was adopted by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature.

Pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate recede from Senate Amendment No. 1 to House Joint Resolution No. 9-X, which Amendment reads as follows:

Senate Amendment No. 1—

In Section 10, lines 8, 9 and 10 (printed bill), strike out the words: "except a governmental corporation when acquiring a road right of way,"

Which was agreed to and the Senate receded from Senate Amendment No. 1 to House Joint Resolution No. 9-X.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate recede from Senate Amendment No. 2 to House Joint Resolution No. 9-X, which Amendment reads as follows:

Senate Amendment No. 2—

In Section 10, line 10 (printed bill), change the period at the end of the sentence to a semi-colon and add the following: "provided, that a governmental agency acquiring road rights of way may offset benefits resulting from proposed improvements against severance damages to property not taken."

Which was agreed to and the Senate receded from Senate Amendment No. 2 to House Joint Resolution No. 9-X.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved the adoption of Conference Committee Amendment No. 1 to House Joint Resolution No. 9-X, as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and Conference Committee Amendment No. 1 to House Joint Resolution No. 9-X was adopted.

Senator Johnson moved that House Joint Resolution No. 9-X, as amended, be read in full.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 9-X, as amended, was read in full as follows:

House Joint Resolution No. 9-X—A Joint Resolution proposing revision of Article I of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article I of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE I

DECLARATION OF RIGHTS

Section 1. **Political power—government.**—All political power is inherent in the people. Government is instituted for their protection, security, and benefit. They have the right to regulate their government and to amend or repeal this constitution. The enumeration herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. **Equality—inalienable rights—property rights of foreigners.**—All persons, including foreigners eligible to become citizens of the United States, are equal before the law and have inalienable rights. Among these are the right to enjoy life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess, and protect property; but the legislature may regulate or prohibit the ownership, inheritance, disposition, or possession of real property by persons ineligible for citizenship.

Section 3. **Religious freedom.**—The free exercise and enjoyment of religious belief and worship shall never be abridged, but this freedom shall not be construed to justify licentiousness or practices inconsistent with peace and safety. No person shall be incompetent as a witness or ineligible for jury duty or public office because of religious belief. No preference shall be given by law to any religious denomination or mode of worship, and no public funds shall be granted directly or indirectly in aid of any religious denomination or sectarian institution.

Section 4. **Freedom of speech and press.**—Every person may freely speak, write, and publish his sentiments on any subject, being responsible for the abuse of this right, and no law shall restrain or abridge the freedom of speech or of the press. The truth of the matter published and good motive in publishing it shall constitute a complete defense in any criminal or civil proceeding for defamation.

Section 5. **Assembly—petition.**—The people may assemble peaceably to consult for the common good, may instruct their representatives, and may petition for redress of grievances.

Section 6. **Right to work—collective bargaining.**—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. This section shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Section 7. **Right to bear arms.**—Every person may keep and bear arms in defense of his home, person, property, and the lawful authority of the state, but the legislature may prescribe the manner of bearing them.

Section 8. **Searches and seizures.**—The people shall be secure in their persons, houses, papers, and effects against unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue except upon oath or affirmation showing probable cause and particularly describing the place to be searched and the person or thing to be seized.

Section 9. **Access to courts.**—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Section 10. **Condemnation—preliminary taking.**—Private property shall not be taken without full compensation determined by a jury of twelve. Interim possession may be obtained after commencement of suit upon securing payment by deposit of money, an equitable part of which shall be released upon application of the party entitled. Benefits resulting from improvements proposed to be made by an individual or a private or public corporation shall not be applied in reduction of compensation; provided, the legislature may authorize governmental agencies acquiring road rights of way to offset benefits resulting from proposed improvements against severance damages to property not taken. The legislature may provide for drainage of private land over or through that of another upon payment of full compensation.

Section 11. **Attainder—ex post facto law—impairment of contract.**—No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed.

Section 12. **Indictment—information—plea—sentence.**—No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court. A person charged with any crime not capital may be arraigned and may plead thereto in term or vacation, and the court may at any time pronounce judgment and sentence on a plea of guilty.

Section 13. **Habeas corpus.**—The writ of habeas corpus shall be granted as of right, promptly and without cost.

Section 14. **Bail.**—Until adjudged guilty, every person is entitled to release on reasonable bail with sufficient surety unless charged with a capital offense and the proof of guilt is evident or the presumption is great.

Section 15. **Jury trial—rights of accused.**—The right of trial by jury in criminal and civil proceedings as heretofore established shall be secured to all and remain inviolate.

In all criminal prosecutions the accused shall have the right to demand the nature and cause of the accusation, to be furnished with a copy of the charges, to have compulsory process for attendance of witnesses in his favor, to be confronted in any trial with the witnesses against him, to be heard in person or by counsel or both, and to have a speedy, public, and impartial trial by jury in the county where the crime was committed, if such county is known. If such county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in such area shall be sufficient, but the accused may before pleading elect the county in which to be tried. No person shall be compelled to pay costs until convicted on final trial.

No person shall be twice put in jeopardy for the same offense, or be compelled in any criminal case to be a witness against himself, or be deprived of life, liberty, or property without due process of law.

Section 16. **Excessive fines—cruel punishment—attainder—detention of witnesses.**—Excessive fines, cruel or unusual pun-

ishment, attainder, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

Section 17. Involuntary servitude—imprisonment for debt.—Involuntary servitude is prohibited except as punishment for crime following conviction. No person shall be imprisoned for debt without fraud.

Section 18. Penalties imposed by administrative agencies.—No administrative agency shall impose a sentence of imprisonment. Any penalty imposed by an administrative agency shall be prescribed by law and its imposition shall be subject to judicial review as the legislature may provide.

Section 19. Treason.—Treason against the state consists only of levying war against it or of adhering to or aiding its enemies; and no person shall be convicted thereof without confession in open court or the testimony of two witnesses to the same overt act.

Section 20. Military subordinate to civil—quartering.—The military power is in strict subordination to the civil. No member of the military shall be quartered on private property in time of peace without the consent of the owner, and in time of war all quartering shall be as prescribed by law.

Section 21. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles II, III, IV, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of House Joint Resolution No. 9-X, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Hodges	Pearce
Adams	Clarke	Johns	Rawls
Beall	Connor	Johnson	Stenstrom
Bishop	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Getzen	Morgan	
Carlton	Hair	Neblett	

Nays—6.

Boyd	Eaton	Houghton	Pope
Cabot	Gautier		

So House Joint Resolution No. 9-X passed, as amended, by

the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate recede from the Senate Amendment to Committee Substitute for House Joint Resolution No. 14-X, which Amendment reads as follows:

In Section 10, (printed bill), strike out all of Subsection (c) and insert in lieu thereof the following:

“(c) **Religious, charitable, and other institutions.**—The legislature may by law exempt from taxation property held and used exclusively for religious, charitable, educational, literary, scientific, state, county, or municipal purposes, and the property of a corporation authorized to construct a ship or barge canal for public use.”

Which was agreed to and the Senate receded from the Senate Amendment to Committee Substitute for House Joint Resolution No. 14-X.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved the adoption of Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 14-X, as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 14-X was adopted.

Senator Johnson moved that Committee Substitute for House Joint Resolution No. 14-X, as amended, be read in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 14-X, as amended, was read in full as follows:

Committee Substitute for House Joint Resolution No. 14-X—A Joint Resolution proposing revision of Article VIII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VIII

TAXATION AND FINANCE

Section 1. Levy of tax pursuant to law—surrender of taxing power prohibited—drawing money from treasury.—No tax shall be levied except as provided by law, and the power of taxation shall never be surrendered, suspended, or contracted away. No money shall be drawn from the treasury except in pursuance of appropriations made by law; provided, expenses of interim legislative committees as provided by concurrent resolution, including compensation of committee employees, may be drawn as legislative expense unless otherwise provided by law.

Section 2. Credit and taxing power — limitations.—The credit of the state shall not be pledged or loaned, directly or indirectly, to any individual, company, corporation, partnership, or association. The state shall not become a joint owner or stockholder in any company, association, or corporation. No tax shall be levied for the benefit of any chartered company. The legislature shall not authorize any county, municipality, special district, or agency of any of them to become a stockholder in any company, association, or corporation, or to obtain, or to appropriate money for, or to loan its credit to, any corporation, association, institution, or individual.

Section 3. State bonds prohibited.—State bonds shall not be issued for any purpose.

Section 4. County, municipal, or district bonds.—No county,

municipality, or district shall issue any bonds other than refunding bonds without prior approval by a majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing therein shall participate. Such election may be held as a special election on that subject only, or by the use of separate ballots in conjunction with any special or general election.

Section 5. Uniform and equal rate—no state ad valorem tax except on intangibles.—(a) The legislature shall provide for raising sufficient revenue for each fiscal year to defray the expenses of the state, including state appropriations for state institutions of higher learning and the uniform system of free public schools, but no ad valorem tax shall be levied for any state purpose on any property except intangible personal property. The rate of taxation on all property except intangible personal property shall be uniform and equal.

(b) The legislature may levy on intangible personal property, in lieu of all other state, county, district, and municipal taxes, a tax at special rates not exceeding two mills of the assessed valuation, but any such intangible tax relating to an obligation secured by lien evidenced by writing shall be imposed only once. The instrument shall not be entitled to record until the tax is paid.

(c) The legislature may apportion the proceeds of intangible taxes.

Section 6. Motor vehicle license tax.—Motor vehicles shall be subject to a license tax on an annual basis for their operation in lieu of all ad valorem taxes on them as personal property.

Section 7. Income tax prohibited—limit on inheritance or estate tax.—No tax shall be levied by the state or under its authority upon the income, inheritances, or estates of citizens or residents of the state; provided, the legislature may provide for the assessment, levy, and collection of a tax upon inheritances or estates of decedents not exceeding in the aggregate the amounts which may by any law of the United States be credited against or deducted from any similar tax on inheritances, or taxes on estates, assessed or levied by the United States on the same subject. The legislature may apportion all taxes collected hereunder to any state, county, or municipal purposes.

Section 8. Allocation of pari mutuel excise taxes.—The legislature shall have the power to allocate and distribute to the counties, in equal amounts and at such times as it shall determine, any portion or all of the proceeds of state excise taxes on the operation of pari mutuel pools.

Section 9. (a) Board of administration—gasoline and like taxes—distribution and use.—Until January 1, 1993, the proceeds of two cents per gallon of the total tax levied by state law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the State Roads Distribution Fund in the state treasury and divided into three equal parts which shall be distributed monthly among the several counties as follows:

One part according to area, one part according to population, and one part according to the counties' contributions to the cost of state road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931, and for the purpose of the apportionment based on the counties' contributions for the cost of state road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(b) The governor as chairman, the state treasurer, and the state comptroller shall constitute a body corporate to be known as the State Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control, and supervision of the proceeds of said two cents of said taxes and all moneys and other assets which on January 1, 1943, are applicable or may become applicable to the bonds of the several counties of this state, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1, 1931, for road and bridge purposes. The word "bonds" as used herein shall include bonds, time warrants, notes, and other forms of in-

debtedness issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1, 1931, or any refunding issues thereof. Said board shall have the statutory powers of boards of county commissioners and bond trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents, and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature prior to January 1, 1993, for any of said outstanding bonds or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three percent per annum in such denominations and maturing at such time prior to January 1, 1993, as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds created for said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing bonds participating herein of any other county or any other special road and bridge district, or other special taxing district thereof, provided that as to said matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three percent per annum.

(c) The said board shall annually use said funds in each county account, first, to pay current principal and interest maturing, if any, of said bonds and gasoline or other fuel tax anticipation certificates of such county or special road and bridge district, or other special taxing district thereof; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two cents of said taxes shall monthly during the year be remitted by said board as follows: Eighty percent to the State Road Department for the construction or reconstruction of state roads and bridges within the county, or for the lease or purchase of bridges connecting state highways within the county, and twenty percent to the board of county commissioners of such county for use on roads and bridges therein.

(d) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1943. The legislature shall continue the levies of said taxes during the life of this section, and shall not enact any law having the effect of withdrawing the proceeds of said two cents of said taxes from the operation of this section. The board shall pay refunding expenses and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each regular session of the legislature, and the legislature may limit the expenses of the board.

Section 10. Tax exemptions.—(a) **Personal effects and household goods of family head.**—No tax shall be levied on \$500 of the assessed valuation of household goods and personal effects of the head of a family residing in this state, or on \$500 of the assessed valuation of property of a widow residing in this state or of a resident who has lost a limb or been disabled by war or other misfortune. These exemptions may be claimed concurrently.

(b) **Exemption of homestead from taxation.**—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally de-

pendent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of \$5,000 on the said home and contiguous real property, as defined in Article IX hereof. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than \$5,000 shall be allowed to any one person or on any one dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

(c) **Religious, charitable, and other institutions.**—Property held and used exclusively for state, county, or municipal purposes shall be exempt from taxation, and the legislature may exempt from taxation property held and used exclusively for religious, charitable, educational, literary, or scientific purposes, and property of a corporation authorized to construct a ship or barge canal across the state.

(d) No tax exemption shall be granted unless authorized herein.

Section 11. Local taxation.—The legislature shall make adequate provision for the assessment of property for taxation and the levying of taxes and of assessments for special benefits by counties and municipalities and by or for districts, for their respective purposes and for no other purpose. The legislature shall prescribe regulations that will insure a just valuation of all taxable real and personal property, and all assessments shall be subject to review, equalization, or adjustment as provided by law. The rate of taxation shall be uniform and equal.

Section 12. Illegal tax—prerequisite to relief.—Each taxpayer shall pay into court the portion of his taxes admitted to be regularly assessed and legally imposed before he can seek judicial relief from payment of the remainder, and before such relief is granted he shall pay any additional amount found to be due.

Section 13. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, VII, and IX through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint

Resolution No. 14-X, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Hodges	Pearce
Adams	Clarke	Johns	Rawls
Beall	Connor	Johnson	Stenstrom
Bishop	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Getzen	Morgan	
Carlton	Hair	Neblett	

Nays—6.

Boyd	Eaton	Houghton	Pope
Cabot	Gautier		

So Committee Substitute for House Joint Resolution No. 14-X passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved the adoption of Conference Committee Amendment No. 1 to Senate Joint Resolution No. 9-X(57), as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and Conference Committee Amendment No. 1 to Senate Joint Resolution No. 9-X(57) was adopted.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate concur in House Amendment No. 3 to Senate Joint Resolution No. 9-X(57), as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Joint Resolution No. 9-X(57).

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate concur in House Amendment No. 4 to Senate Joint Resolution No. 9-X(57), as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Joint Resolution No. 9-X(57).

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate concur in House Amendment No. 6 to Senate Joint Resolution No. 9-X(57), as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and the Senate concurred in House Amendment No. 6 to Senate Joint Resolution No. 9-X(57).

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved the adoption of Conference Committee Amendment No. 2 to Senate Joint Resolution No. 9-X(57), as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and the Senate adopted Conference Committee Amendment No. 2 to Senate Joint Resolution No. 9-X(57).

Senator Johnson moved that Senate Joint Resolution No. 9-X(57), as amended, be read in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 9-X(57), as amended, was read in full as follows:

Senate Joint Resolution No. 9-X(57)

A JOINT RESOLUTION PROPOSING REVISION OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF FLORIDA.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article VII of the Constitution of Florida is hereby agreed to and shall

be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE VII

LOCAL GOVERNMENT

Section 1. Counties—municipalities—special districts—powers and functions.—All powers of local government shall be exercised by counties, municipalities, and special districts, and shall be limited to those delegated herein or by the legislature. They shall also perform such state functions as the legislature may provide.

Section 2. Counties as political subdivisions—county seats.—The state shall be divided into political subdivisions called counties. The counties and their respective county seats as now established are recognized, and no county seat may be changed except by vote of the electors; provided, in the formation of new counties the county seat may be temporarily established by law.

Section 3. Establishment of new counties.—The legislature shall have power to establish new counties and to change county lines. Every newly established county shall be held liable for its proportion of the then existing liabilities of the county or counties from which it shall be formed, rated upon the basis of the assessed value of the property, both real and personal, subject to taxation within the territory taken from any county or counties; and every county acquiring additional territory from another county shall be held liable for its proportion of the liabilities of such other county existing at the time of such acquisition, to be rated upon the basis of the assessed value of all property subject to taxation within such acquired territory.

Section 4. Location of county offices—public records.—The principal offices and permanent records of all county officers shall be at the county seat; provided, branch offices for the conduct of county business and facilities for court proceedings including jury trials in civil cases may be established by law elsewhere in the county. No instrument shall be deemed recorded until filed at the county seat according to law.

Section 5. (a) Commissioner districts—decennial revision—county commission.—Each county shall be divided into five commissioner districts numbered consecutively, and its governing body shall be a Board of County Commissioners, consisting of five members, one from each commissioner district. Upon certification of each decennial federal census the board of county commissioners shall forthwith revise the boundaries of the commissioner districts so that according thereto they will be approximately equal in population, giving consideration to geographic area.

(b) County officers—selection—term of office.—The following officers shall be elected by and from among the electors of each county for a term of four years: one member of the board of county commissioners from each commissioner district, one member of the County School Board from each commissioner district unless otherwise provided by law, County Judge or Judges as provided herein, Clerk of the Circuit Court, Sheriff, Tax Assessor, Tax Collector, County School Superintendent, and Supervisor of Registration; provided, by local law subject to the approval of the electors of the county (1) the county school superintendent shall be appointed by and serve at the pleasure of the county school board, and (2) each member of the board of county commissioners, and also of the county school board unless otherwise provided by law, shall be elected by and from among the electors of the district within which he resides and qualifies for office, and in either event, not less than four years after so providing, the county may by the same method revoke such change. Each member of the board of county commissioners and of the county school board shall reside in the district from which elected. In counties having justice districts a Constable shall be elected for a term of four years by and from among the electors of each district. Successors to those members of the board of county commissioners representing odd-numbered districts and of the county school board representing even-numbered districts shall be elected in 1960, and successors to those representing respectively even-numbered districts and odd-numbered districts shall be elected in 1962; provided, succession to county school board membership may be changed by law.

Section 6. County ordinances—legislative grant of author-

ity to enact.—The legislature, by local law only, may authorize a board of county commissioners to enact county ordinances; provided, the legislature may by general law limit the subjects on which county ordinances may be enacted, and thereafter no deviation from such general law shall be made except by amendment thereof by general law. Each such local law shall specify precisely the subjects to which the ordinances shall be confined. No ordinance shall conflict with any general, special, or local law except as provided in the local law authorizing the ordinance, and the legislature may amend or repeal any ordinance.

Section 7. Welfare.—Counties shall provide in the manner prescribed by law for residents having claim upon the aid and sympathy of society by reason of age, infirmity, or misfortune.

Section 8. Alcoholic beverages—county option.—Upon petition of one fourth of the electors of a county the board of county commissioners shall provide for a special election to determine whether sale of all intoxicating beverages shall be prohibited therein or to determine the method of such sale where permitted; and in like manner an election shall be held in a county prohibiting sale to determine whether such prohibition shall be removed. The election shall be held within sixty days from presentation of the petition unless a regular primary or general election falls within such period, in which event it shall be held within sixty days thereafter. Not more than one such election shall be held in any two-year period.

Section 9. Criminal cases—costs and fines.—In all criminal cases prosecuted in the name of the state against an insolvent or discharged defendant, the county in which the case was prosecuted shall under regulations prescribed by law pay the legal costs. All fines and forfeitures collected in each county under the state penal laws shall be applied to payment of costs and expenses of prosecuting crimes therein.

Section 10. Municipalities—establishment—abolition—government—protection of creditors.—The legislature may establish and abolish municipalities, may provide for their government, and may prescribe and alter at any time their jurisdiction and powers. Whenever a municipality is abolished, provision shall be made for the protection of its creditors.

Section 11. Municipal taxes—assessment and collection by county officers.—Subject to approval by vote of the municipal electors at a special election held separately or with any other election the legislature may by general, special, or local law provide for assessment and collection of the taxes of any municipality by the tax assessor and tax collector respectively of the county in which it is situated and for payment by the municipality of reasonable compensation to these county officers for performance of these additional duties.

Section 12. Special districts lying in one county—governing board.—Unless otherwise provided by law, the governing board of special districts lying wholly within a county shall be the board of county commissioners of the county. The legislature may provide by law for the appointment of the governing board by the governor or by the board of county commissioners, or for election thereof by the electors.

Section 13. Special districts lying in more than one county—government.—The legislature by special or local law may for special purposes create special districts that include territory lying in more than one county and may prescribe the composition, powers, and duties of their governing bodies.

Section 14. Local governmental units—cooperation with other governmental units.—Any local governmental unit may contract and cooperate with other local governmental units, with the state, or with the United States in the exercise of any of its authorized proprietary functions for the planning, development, construction, acquisition, or operation of any public improvement or facility or for a common service.

Section 15. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, IV, VI, and VIII through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the inter-

locking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Senate Joint Resolution No. 9-X(57), as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Hodges	Pearce
Adams	Clarke	Johns	Rawls
Beall	Connor	Johnson	Stenstrom
Bishop	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Getzen	Morgan	
Carlton	Hair	Neblett	

Nays—6.

Boyd	Eaton	Houghton	Pope
Cabot	Gautier		

So Senate Joint Resolution No. 9-X(57) passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate recede from Senate Amendment No. 3 to Committee Substitute for House Joint Resolution No. 11-X, which Amendment reads as follows:

Senate Amendment No. 3—

In Section 16, (printed bill), strike out all of subsection (e) and insert in lieu thereof the following:

(e) Rules and Regulations of the commission may be amended or repealed by general law of statewide application or of application throughout a district or districts established pursuant hereto, but not by any law based on population.

Which was agreed to and the Senate receded from Senate Amendment No. 3 to Committee Substitute for House Joint Resolution No. 11-X.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved the adoption of Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 11-X, as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 11-X was adopted.

Senator Johnson moved that Committee Substitute for House Joint Resolution No. 11-X, as amended, be read in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 11-X, as amended, was read in full as follows:

Committee Substitute for House Joint Resolution No. 11-X—A Joint Resolution proposing revision of Article IV of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article IV of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE IV

EXECUTIVE

Section 1. **Governor—chief executive—commander-in-chief—grants—commissions.**—The supreme executive power shall be vested in the governor. He shall take care that the laws are faithfully executed, be commander-in-chief of all state armed forces not in the active service of the United States, transact all executive business with state civil and military officers, and sign all grants. He shall issue each state and county officer a commission in the name of the state, bearing its great seal attested by the secretary of state, and shall sign it unless otherwise provided by law.

Section 2. **Governor—message to legislature.**—At least once in each regular session the governor shall by message inform the legislature concerning the condition of the state and recommend measures in the public interest.

Section 3. **Governor—suspensions—filling office during suspensions.**—By executive order stating the ground and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period of suspension.

The suspended officer shall be deemed to have acquiesced in the suspension and surrendered all claim to the office unless within thirty days from the filing of the suspension order he shall file with the secretary of state a written demand for a hearing, which shall be accorded promptly before the governor or a disinterested cabinet member designated by the governor in writing. All evidence supporting the suspension, and such evidence as the officer may desire to offer in his defense, shall be presented and recorded at the hearing, and a transcript thereof and all documentary evidence shall be filed with the secretary of state. The governor shall thereupon file with the secretary of state a further order stating his findings and finally confirming or revoking the suspension. If the order does not revoke the suspension and reinstate the officer, the secretary of state shall transmit to the senate, on the next day it is in regular session, certified copies of the orders and of the record of the hearing; provided, if these copies are not submitted prior to the forty-sixth day of the session the senate may postpone consideration until the next session. The senate may take further evidence and shall sustain or disapprove the suspension. If it sustains the suspension or fails to act or postpone consideration before adjourning, the officer shall be removed from office as of the date of the original order of suspension. If it disapproves before adjourning, the officer shall be reinstated and shall receive compensation from the state to the date of reinstatement or to the date of expiration of his term of office, whichever is earlier. The proceedings hereunder shall not affect his criminal or civil liability.

Section 4. **Cabinet—membership—lieutenant governor—election—term—qualifications.**—The Cabinet shall consist of the Governor, Secretary of State, Attorney General, Comptroller, Treasurer, Superintendent of Education, and Commissioner of Agriculture. There shall be a Lieutenant Governor, who shall be an executive officer and shall perform the duties prescribed herein. Each cabinet member and the lieutenant governor shall be elected quadrennially at the same state-wide general election for a term of four years and when elected shall be at least twenty-five years of age and for the ten

immediately preceding years shall have been a citizen and resident of the state. The legislature shall provide a method and requirements by which in primary and general elections candidates for the offices of governor and lieutenant governor may form a joint candidacy. No person who has become governor or lieutenant governor by election or succession shall be eligible to be elected governor or lieutenant governor until three years from the termination of such service.

Section 5. Cabinet—duties as board of commissioners of state institutions.—The cabinet shall constitute the Board of Commissioners of State Institutions, which shall supervise state institutions in the manner prescribed by law.

Section 6. Appointment of directors—reports.—The legislature may authorize any board composed entirely of cabinet members to appoint a director of any department under the supervision of such board.

The governor may require information in writing from any state executive or administrative officer and from any county officer regarding his executive or administrative duties. At the beginning of each regular session of the legislature, and at such other times as the governor may request, each state executive officer shall report in writing his official acts and the receipts, expenditures, and requirements of his office to the governor, who shall lay the reports before the legislature at the beginning of the session.

Each state, county, district, or municipal executive officer, agency head, or employee shall furnish information regarding his department, office, or employment upon the request of either house of the legislature.

Section 7. (a) Pardon board—application for pardon.—The cabinet shall constitute the Pardon Board. In all cases except treason the governor and any three others may grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures. The legislature shall prescribe the manner of applying for pardons.

(b) Governor—reprieves—remissions or suspensions of fines.—The governor may suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days in all cases except treason and impeachment. In cases of treason the reprieve may extend to the next legislative session, and at the commencement thereof the governor shall report the treason cases to the legislature, which may direct execution of the sentence or grant a pardon or further reprieve. If it adjourns without disposing of the case the governor shall enforce the sentence. A record of each pardon, commutation, remission, reprieve, and suspension granted shall be filed with the secretary of state.

(c) Parole commission.—The legislature may create a Parole Commission, prescribe the qualifications, method of selection, and terms of its members, and empower it to supervise persons on probation and to grant parole or conditional releases to persons under sentence for crime.

Section 8. Advisory opinions of justices.—The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented. They shall render their written opinion not earlier than ten days from the filing and docketing of such request, unless in their judgment such delay would cause public injury.

Section 9. Succession to office of governor—service as acting governor.—The lieutenant governor shall become governor upon failure of the governor-elect to qualify or upon death, resignation, or removal of the governor. Further succession to the office of governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives, and thereafter as prescribed by law. A successor shall serve for the remainder of the term.

Upon written direction of the governor filed with the secretary of state, the lieutenant governor shall perform those duties of the governor specified in the directive for the time therein limited.

Upon impeachment of the governor and until completion of trial thereon, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall devolve first upon the president of the senate, next upon the speaker of the house of representatives

and thereafter as prescribed by law. Incapacity to serve as governor shall be determined only by the supreme court upon due notice after docketing of written suggestion thereof by four cabinet members, and restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature, or four cabinet members; provided, by certificate filed with the secretary of state the governor may declare his incapacity for physical reasons to serve as governor or may declare that such physical incapacity has ceased.

Section 10. Secretary of state—duties.—The secretary of state shall keep the records of official acts of the legislative and executive departments and when requested by either house of the legislature shall lay them and all related matters before it. He shall attest and affix the great seal of the state to all grants and commissions and be custodian of the great seal of the state.

Section 11. Attorney general—duties.—The attorney general shall be an attorney at law and the legal advisor to each officer of the state executive branch.

Section 12. Comptroller—duties.—The comptroller shall examine, preaudit, adjust, and settle all state accounts. He shall be responsible for collecting all taxes due the state except as provided by law.

Section 13. Treasurer—duties.—The treasurer, in the manner prescribed by law, shall keep all funds and securities and make all disbursements, but he shall not disburse funds without the order of the comptroller, countersigned by the governor.

Section 14. Superintendent of education—duties.—The state superintendent of education shall supervise the public school system according to law.

Section 15. Commissioner of agriculture — duties. — The commissioner of agriculture shall perform the duties prescribed by law relating to agriculture, shall maintain the Bureau of Agricultural Information, and shall be custodian of records pertaining to public lands.

Section 16. Game and fresh water fish commission—duties — membership — director — powers — licenses — penalties — state game fund.—(a) The management, restoration, conservation, and regulation of the mammal, bird, reptile, and amphibian wildlife, and of the fresh water fish of the state, and the acquisition, establishment, control, and management of hatcheries, sanctuaries, refuges, reservations, and property owned or used for such purposes by the state, shall be vested in a Game and Fresh Water Fish Commission, a body corporate composed of five members. The cabinet shall from time to time divide the state into five districts and, subject to confirmation by the senate, shall appoint the commissioners, one from each district, for terms of five years staggered so that one of the terms expires each year. The commissioners shall annually select one of their members as chairman. They shall receive travel and per diem allowances and may receive compensation as provided by law.

(b) The cabinet shall appoint and at pleasure remove a director, who shall be the executive head of the commission. He shall, subject to approval by the cabinet, appoint, fix the salaries of, and discharge the assistants and employees of the commission and shall exercise other powers and perform other duties prescribed by the cabinet. Members of the commission are ineligible for employment by it.

(c) The commission may, among its powers, establish bag limits and open and closed seasons on a state-wide, regional, or local basis and regulate the manner of taking, transporting, storing, and using mammals, birds, game, fur-bearing animals, reptiles, amphibians, and fresh water fish.

(d) The legislature shall have exclusive power to enact laws imposing license taxes relating to this section and to fix penalties for violation of regulations made pursuant to it and may enact laws in aid of but not inconsistent with its provisions.

(e) The legislature shall by law provide funds for the operation of the commission under this section.

Section 17. Conservation of salt water fish, shellfish, and products.—The legislature shall establish an agency to conserve and supervise the salt water fish, salt water shellfish,

and salt water products of the state and shall empower it to make regulations relating thereto, which need not apply uniformly throughout the state and may be repealed or modified by law. Should the game and fresh water fish commission be established as the agency, it shall thereupon be designated Game and Fish Commission.

Section 18. Railroad and public utilities commission.—The legislature shall establish a Railroad and Public Utilities Commission and prescribe its membership, duties, and powers, including quasi-judicial powers.

Section 19. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I, II, III, and VI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint Resolution No. 11-X, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Hodges	Pearce
Adams	Clarke	Johns	Rawls
Beall	Connor	Johnson	Stenstrom
Bishop	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Getzen	Morgan	
Carlton	Hair	Neblett	

Nays—6.

Boyd	Eaton	Houghton	Pope
Cabot	Gautier		

So Committee Substitute for House Joint Resolution No. 11-X passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate recede from the Senate Amendment to Committee Substitute for House Joint Resolution No. 16-X, which amendment reads as follows:

Strike out everything after the resolving clause and insert in lieu thereof the following:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X

EDUCATION

Section 1. Uniform system of free education, including higher learning.—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free education, including higher learning, as the legislature shall deem proper.

Section 2. State board of education—powers and duties.—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. County school boards—membership—duties.—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund—derivation—use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund—sources—apportionment.—restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal

year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four percent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to

meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947 in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection (d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or ma-

terially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Which was agreed to and the Senate receded from the Senate Amendment to Committee Substitute for House Joint Resolution No. 16-X.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate adopt Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 16-X, as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and the Senate adopted Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 16-X.

Senator Johnson moved that Committee Substitute for House Joint Resolution No. 16-X, as amended, be read in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 16-X, as amended, was read in full as follows:

Committee Substitute for H. J. R. No. 16-X—A Joint Resolution proposing revision of Article X of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article X of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE X

EDUCATION

Section 1. Uniform system of free public schools and higher institutions.—The legislature shall provide for the establishment, maintenance, and operation of a uniform system of free public schools, and for institutions of higher learning, and may for a period of emergency not to extend beyond the adjournment date for the next regular session of the legislature provide assistance for other non-sectarian schools.

Section 2. State board of education—powers—duties.—The members of the cabinet shall constitute the State Board of Education, which shall be a body corporate and have the management and investment of all state school funds pursuant to applicable law and such supervision of public schools and institutions of higher learning as may be provided by law.

Section 3. County school boards—membership—duties.—In each county the school board members shall constitute the county school board, which shall operate, control, and supervise all public schools within the county, levy the county school taxes, appoint the county school superintendent in those counties in which appointment is authorized, and perform other duties prescribed by law.

Section 4. State school fund—derivation—use.—The State School Fund shall consist of the proceeds of all lands granted to the state by the United States for public school purposes, twenty-five percent of the proceeds of sale of other public lands now or hereafter owned by the state, proceeds from escheats and forfeitures, state appropriations, and donations to this fund or to the state without specification of purpose. The principal of this fund shall remain inviolate, and interest derived from investment thereof shall be applied exclusively to the support of free public schools. Such interest and all other state means provided for the support and maintenance of free public schools shall be apportioned and distributed among the counties according to a principle of classification prescribed by general law.

Section 5. County school fund—sources—apportionment.—restrictions on use.—Each county school board shall levy annually for the support of the free public schools of the county a tax of not less than three or more than ten mills of the assessed valuation of all taxable property therein, and upon vote of the electors that pay a tax on real or personal property it may levy an additional tax not exceeding ten mills. The County School Fund shall consist of the proceeds of these taxes, its share of the interest derived from the state school fund, any state appropriations distributed to it, and revenue

derived from any other source for support and maintenance of free public schools. The county school board shall disburse these proceeds solely for the support and maintenance of free public schools as prescribed by general law, but no law shall be enacted authorizing the diversion or lending of such funds or the use of any part for support of any sectarian school.

Section 6. School bonds for capital outlay—issuance.—(a) Beginning January 1, 1953, and for thirty years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this section shall, as collected, be placed monthly in the County Capital Outlay and Debt Service School Fund in the state treasury, and used only as provided in this section. Such revenue shall be distributed annually among the several counties in the ratio of the number of instruction units in each county in each year computed as provided herein. The amount of the first revenues derived from the licensing of motor vehicles to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of four hundred dollars multiplied by the total number of instruction units in all the counties of the state. The number of instruction units in each county in each year for the purposes of this section shall be the greater of (1) the number of instruction units in each county for the school fiscal year 1951-52 computed in the manner heretofore or hereafter provided by general law, or (2) the number of instruction units in such county for the preceding school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board).

Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article X hereof. For the purposes of this section, the state board, as now constituted, shall continue as a body corporate during the life of this section and shall have all the powers provided in this section in addition to all other constitutional and statutory powers related to the purposes of this section heretofore or hereafter conferred upon the state board.

(b) The state board shall, in addition to its other constitutional and statutory powers, have the management, control, and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in subsection (a) hereof. The state board shall also have power, for the purpose of obtaining funds for the use of any county school board in acquiring, building, constructing, altering, improving, enlarging, furnishing, or equipping capital outlay projects for school purposes, to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund, or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds shall bear interest at not exceeding four and one-half (4½) percent per annum and shall mature serially in annual installments commencing not more than three years from the date of issuance thereof and ending not later than January 1, 1983, and each annual installment shall not be less than three percent of the total amount of the issue. All such motor vehicle tax anticipation certificates shall bear interest at not exceeding four per cent per annum and shall mature prior to January 1, 1983. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this section and to enter into any covenants and other agreements with the holders of such bond or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

No such bonds or motor vehicle tax anticipation certi-

ates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the county school board of the county on behalf of which such obligations are to be issued. The state board shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any county to seventy-five percent of the amount which it determines can be serviced by the revenue accruing to the county under the provisions of this section. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board but shall be issued for and on behalf of the county school board requesting the issuance thereof, and no election or approval of qualified electors or freeholders shall be required for the issuance thereof.

(c) The state board shall in each year use the funds distributable pursuant to this section to the credit of each county only in the following manner and order of priority:

(1) To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the county school board of such county; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

(2) To establish and maintain a sinking fund or funds to meet future requirements for debt service, or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the county school board of such county, under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

(3) To distribute annually to the several county school boards for use in payment of debt service on bonds heretofore or hereafter issued by any such board where the proceeds of the bonds were used, or are to be used, in the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects in such county, and which capital outlay projects have been approved by the county school board pursuant to a survey or surveys conducted subsequent to July 1, 1947, in the county, under regulations prescribed by the state board to determine the capital outlay needs of the county.

The state board shall have power at the time of issuance of any bonds by any county school board to covenant and agree with such board as to the rank and priority of payments to be made for different issues of bonds under this subsection (3), and may further agree that any amounts to be distributed under this subsection (3) may be pledged for the debt service on bonds issued by any county school board and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

(4) To distribute annually to the several county school boards for the payment of the cost of the construction, acquisition, improvement, enlargement, furnishing, or equipping of capital outlay projects for school purposes in such county as shall be requested by resolution of the county school board of such county.

(5) When all major capital outlay needs of a county have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such county as the county school board shall determine, or as may be provided by general law.

(d) Capital outlay projects of a county shall be eligible to participate in the funds accruing under this section and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the county under regulations prescribed by the state board, to determine the capital outlay needs of the county and approved by the state board; provided, the priority of such projects may be changed from time to time upon the request of the county school board and with the approval of the state board; and provided further, this subsection

(d) shall not in any manner affect any covenant, agreement, or pledge made by the state board in the issuance by the state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any county school board.

(e) The state board may invest any sinking fund or funds created pursuant to this section in direct obligations of the United States or in the bonds or motor vehicle tax anticipation certificates, matured or to mature, issued by the state board on behalf of any county school board.

(f) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this section of full force and operating effect from and after January 1, 1953; provided, the legislature may by general law of state-wide application, but not by any law based on population, repeal or amend rules and regulations promulgated under this section. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this section to any degree which will fail to provide the full amount necessary to comply with the provisions of this section and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this section and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this section or impairing or altering any covenant or agreement of the state board as provided in such bonds or motor vehicle tax anticipation certificates.

The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this section as it shall deem necessary, and the expenses of the state board in administering the provisions of this section shall be prorated among the various counties and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each county on the same basis as such motor vehicle license taxes are distributable to the various counties under the provisions of this section. Interest or profit on sinking fund investments shall accrue to the counties in proportion to their respective equities in the sinking fund or funds.

Section 7. County school bonds.—issuance—payment—restrictions.—The legislature may authorize county school boards to issue bonds to raise funds for the exclusive use of the free public schools of the county whenever the issuance of such bonds is approved by a majority of the votes cast in an election in which a majority of the electors who are freeholders participate; provided, no election shall be necessary to issue refunding bonds. A special tax on all taxable property in the county shall be levied at a rate sufficient to meet and shall be applied exclusively to the payment when due of the installments of principal and interest on such bonds. Such bonds shall become payable within thirty years from the date of issuance in annual installments commencing not more than three years after the date of issuance. After the first three years from date of issuing, each annual installment shall be not less than three percent of the total amount of the issue. The principal of such bonds, together with the principal of the existing indebtedness of the county incurred for public school purposes and unpaid bonds of special tax school districts thereof shall not exceed twenty percent of the assessed valuation of all taxable property of the county.

Section 8. White and colored—separate schools.—White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

Section 9. Effective date of this article.—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through IX, and XI through XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting

the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint Resolution No. 16-X, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Hodges	Pearce
Adams	Clarke	Johns	Rawls
Beall	Connor	Johnson	Stenstrom
Bishop	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Getzen	Morgan	
Carlton	Hair	Neblett	

Nays—6.

Boyd	Eaton	Houghton	Pope
Cabot	Gautier		

So Committee Substitute for House Joint Resolution No. 16-X passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate recede from Senate Amendment No. 1 to Committee Substitute for House Joint Resolution No. 30-X, which amendment reads as follows:

Senate Amendment No. 1—

In Article XII, Section 1, Subsection (3), line 4 (printed bill), after the period following the word "house", strike out remainder of said subsection, and insert in lieu thereof the following: "Amendments thereto shall require a three-fifths majority of those voting thereon, and final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted."

Which was agreed to and the Senate receded from Senate Amendment No. 1 to Committee Substitute for House Joint Resolution No. 30-X.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved that the Senate recede from Senate Amendment No. 2 to Committee Substitute for House Joint Resolution No. 30-X, which amendment reads as follows:

Senate Amendment No. 2—

In Article XII, Section 4, (printed bill), strike out the first sentence in the second paragraph of said section, and insert in lieu thereof the following: "The legislature shall at its next regular session, or at a special session called for the purpose,

act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election."

Which was agreed to and the Senate receded from Senate Amendment No. 2 to Committee Substitute for House Joint Resolution No. 30-X.

Further pursuant to the provisions of the Conference Committee Report, Senator Johnson moved the adoption of Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 30-X, as contained in and set forth in the foregoing message from the House of Representatives.

Which was agreed to and the Senate adopted Conference Committee Amendment No. 1 to Committee Substitute for House Joint Resolution No. 30-X.

Senator Johnson moved that Committee Substitute for House Joint Resolution No. 30-X, as amended, be read in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Joint Resolution No. 30-X, as amended, was read in full as follows:

Committee Substitute for House Joint Resolution No. 30-X—A Joint Resolution proposing revision of Article XII of the Constitution of the State of Florida.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. The following proposed revision of Article XII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of Florida for ratification or rejection at an election to be held as provided at this session of the legislature, that is to say:

ARTICLE XII

AMENDMENTS

Section 1. **Amendment pursuant to legislative action.**—The legislature may by joint resolution adopted as provided in this section propose an amendment to this constitution. A resolution proposing an amendment shall confine itself to the subject matters of one article but may include any provisions in other articles relating thereto; provided, when the legislature submits more than one proposed revised article hereof, to be voted upon in the same general election, any such proposed article may provide that it shall not become effective unless other specified proposed articles are adopted by the electors at such election, and thereupon none of such proposed articles shall become a part hereof unless all of them are adopted. The resolution shall be processed in the manner provided herein for enactment of laws, except that:

(1) It shall forthwith be entered in full on the journal of the house in which introduced.

(2) The house in which it is introduced shall forthwith furnish a copy to the attorney general, who shall consider it and within ten days transmit to each house recommendations or suggestions as to its effect upon other provisions of the constitution and as to its form and substance, but his failure to act shall not affect legislative action thereon.

(3) No vote upon the adoption of the joint resolution shall be taken until on or after the eighteenth calendar day after its introduction in the originating house. Final adoption shall require affirmative vote of three fifths of the membership of each house, the yeas and nays to be entered on the journal; and if the resolution is amended it shall be entered on the journals as finally adopted.

(4) The resolution shall not be subject to veto.

Section 2. **Submission to electors.**—A proposed amendment shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after the adoption of the resolution unless by vote of three

fourths of the membership of each house the legislature shall provide for its submission at a special election at an earlier date. The secretary of state shall cause the proposed amendment, together with a notice of the date of the election thereon, to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second publication to be at least one week after the first and not less than six weeks before the election.

Section 3. **Effective date—approval by electors.**—If a majority of the electors of the state shall vote in favor of the proposed amendment, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

A proposed amendment that applies to fewer than all the counties of the state shall not become a part hereof unless adopted by vote of the electors of the county or counties designated and also by vote of the electors of the state.

Section 4. **Revision by convention.**—Whenever the legislature, by vote of two thirds of the membership of each house with the yeas and nays entered on the journals, determines that revision of the constitution is necessary, it shall provide for a convention, to be convened within six months thereafter, to adopt and submit a revision to it for its consideration. The convention membership shall be equal to and apportioned among the counties in the same manner as the membership of the senate and house of representatives. Vacancies shall be filled by the governor. The legislature shall provide for election of delegates and notice of election. A legislator or any other public officer may be elected delegate. The convention shall determine its own organization, discipline, and rules of procedure; provided, a majority shall be required for all action other than compelling attendance of absent members.

The legislature shall at its next regular session, or at a special session called for the purpose, act upon the revision submitted, which may be amended by vote of three fourths of the membership of each house. If the revision is approved by vote of three fifths of the membership of each house it shall be submitted to the electors for ratification or rejection at the next general election held more than seventy days after adoption of the resolution, unless by vote of three fourths of the membership of each house the legislature provides for its submission at an earlier special election.

Alternatively, by vote of three fourths of the membership of each house with the yeas and nays entered on the journals, the legislature may provide in the resolution providing for the convention that the revision proposed by the convention shall be submitted directly to the electors for ratification or rejection at the next general election held more than seventy days after adoption thereof by the convention.

In either event the secretary of state shall cause the proposed revision and a notice of the election date to be published twice in one newspaper in each county where a newspaper is published, the first publication to be not more than ten or less than eight weeks before the election, and the second to be at least one week after the first and not less than six weeks before the election.

Section 5. **Effective date—approval by electors.**—If a majority of the electors of the state shall vote in favor of the revised constitution, it shall take effect at noon on the first Tuesday after the first Monday in January next after the election if voted upon in a general election, and on the sixtieth day after the election if voted upon at a special election, or in either case at such other date as the joint resolution shall provide.

Section 6. **Effective date of this article.**—This article is one of a group of fourteen amendments proposed at the same session of the legislature and submitted to the electors at the same election, and it shall not become effective or a part of the constitution unless the electors adopt simultaneously with this article the amendments constituting respectively the Preamble and Articles I through IV, VI through XI, XIII, and XIV. This section is an integral part of this article and the entire article shall be invalid if this section is held invalid.

Section 2. The legislature finds as a fact that the interlocking details and the framework of the constitutional provisions contained in the fourteen joint resolutions constituting the Preamble and Articles I through IV and VI through XIV of the proposed revised constitution are such that it would be impracticable to have the provisions of any of them become operative unless all of them are presented at the same election and are adopted thereat, and that the constitutional amendment proposed in this joint resolution should not become effective unless the electors adopt each of said fourteen proposed amendments at the same election.

Section 3. The secretary of state is directed to prepare ballots for voting upon said fourteen proposed amendments at the same election in such manner that each elector may by a single vote cast his vote for approval or rejection of all of them and also in such manner that each elector may, in the alternative, cast his vote for approval or rejection of any one of them.

Section 4. Upon rejection of one or more of said fourteen proposed amendments each of them shall by its terms not become effective. This entire resolution shall not become effective if any portion thereof is held invalid.

Section 5. This joint resolution shall not become operative unless and until House Joint Resolution No. 32-X and all of said fourteen joint resolutions containing said fourteen proposed amendments, whether originating in the senate or the house of representatives, are adopted by each house of the legislature.

Upon the passage of Committee Substitute for House Joint Resolution No. 30-X, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Hodges	Pearce
Adams	Clarke	Johns	Rawls
Beall	Connor	Johnson	Stenstrom
Bishop	Davis	Kelly	Stratton
Brackin	Dickinson	Kickliter	Sutton
Branch	Edwards	Knight	
Bronson	Getzen	Morgan	
Carlton	Hair	Neblett	

Nays—6.

Boyd	Eaton	Houghton	Pope
Cabot	Gautier		

So Committee Substitute for House Joint Resolution No. 30-X passed, as amended, by the required constitutional three-fifths vote of all members elected to the Senate for the 1957 Extraordinary Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senator Branch—

S. B. No. 84-X(57)—A bill to be entitled An Act to create the port-zoning-development commission in counties of the State of Florida having a population of more than five thousand five hundred (5,500) and less than six thousand (6,000) according to the latest official census; to provide for the membership of the commission and the purpose, duties, control, organization and powers of said commission, including zoning; to provide for issuing revenue-anticipation certificates and the financing thereof from race track funds; and providing for an advisory council.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 84-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has admitted for consideration by an affirmative two-thirds vote of the House and has passed—

By Senators Johnson and Carraway—

S. B. No. 64-X (57)—A bill to be entitled An Act appropriating one hundred twenty-five thousand dollars (\$125,000) from the State General Revenue Fund for printing the Revised State Constitution.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 64-X(57), contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

The Honorable W. A. Shands,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted with amendment—

By Senator Davis—

Senate Concurrent Resolution No. 86-X(57):

A CONCURRENT RESOLUTION PROVIDING FOR SINE DIE ADJOURNMENT OF THE SPECIAL SESSION.

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. This special session of the Legislature shall adjourn sine die at 8:00 P.M. on Wednesday, October 9, A. D. 1957.

Which amendment reads as follows:

In Section 1, line 2 strike out: the figure 8:00 and insert the following in lieu thereof: 8:45

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 86-X(57), contained in the above message, was read, together with House Amendment thereto.

Senator Bronson moved that the Senate concur in the House Amendment to Senate Concurrent Resolution No. 86-X(57).

Which was agreed to.

And the Senate concurred in the House Amendment to Senate Concurrent Resolution No. 86-X(57).

And Senate Concurrent Resolution No. 86-X(57), as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment to—

By Mr. Sweeney of Volusia—

H. B. No. 40-X—A bill to be entitled "An Act creating and incorporating a special tax district in Volusia County, Florida, to be known as the West Volusia Hospital Authority; fixing and prescribing the boundaries of said district; providing for the governing and administration of the same; providing and defining the powers and purposes of said district and of the board of commissioners thereof; authorizing and empowering such board to establish, contract, operate and maintain such hospital or hospitals as may be established and constructed by said board in said district for indigents of said district and pay patients; authorizing and providing for the issuance and sale of bonds of said district; authorizing and empowering such board to borrow money on the note or notes of said district; authorizing and providing for the levy and collection of taxation for the payment of the said bonds and the interest thereon, and for the payment of said notes or the interest thereon and authorizing and providing for the levy and collection of additional taxes for the repair and maintenance of said hospital or hospitals; authorizing and providing generally the powers and duties of said board on its behalf and providing for a referendum."

Which amendment reads as follows:

In Section 16, (typewritten bill) strike out the words: It shall be the duty of the Comptroller of the State of Florida to assess and levy on all the railroad lines and railroad property and telegraph lines and telegraph property situated or located in said district, including as well all telephone lines.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The following message from the House of Representatives was also read:

Tallahassee, Florida,
October 9, 1957.

*The Honorable W. A. Shands,
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

By Messrs. Maness and Mathews of Duval—

H. B. No. 50-X—A bill to be entitled An Act to amend Section 129 of Chapter 29965, Laws of Florida of 1955, also designated as Section 338.19, Florida Statutes, 1955, as amended by Chapter 57-135, Laws of Florida of 1957, relating to relocation of utilities; to provide that the State Road Department may require relocation of utility facilities for Federal aid projects; to provide for payment of costs and repeal of conflicting laws and fixing the effective date of this Act.

Which amendments read as follows:

Amendment No. 1—

In the preamble of the typewritten bill, strike out the last

paragraph, beginning with the words, "WHEREAS, the state" and ending with the words "NOW THEREFORE" and insert in lieu thereof the following: "WHEREAS, the state desires to include such relocation cost within the cost of the project in those instances in which the cost of the project is eligible and approved for reimbursement by the federal government to the extent of 90% or more; NOW, THEREFORE,"

Amendment No. 2—

In Section 1, (typewritten bill) strike out all of subsection (1), Section 338.19, as the same appears in said bill following the figures and words "129 338.19 RELOCATION OF UTILITY; EXPENSES.—" and insert in lieu thereof the following:

"(1) Any utility heretofore or hereafter placed upon, under, over or along any public road that is found by the state or other authority to be unreasonably interfering in any way with the convenient, safe or continuous use or maintenance, improvement, extension or expansion of such public road shall, upon thirty (30) days written notice to the utility or its agent, by the state or other authority be removed or relocated by such utility at its own expense; provided, however, that if the relocation of utility facilities, as referred to in section 111 of the federal aid highway act of 1956, public law 627 of the eighty-fourth congress, is necessitated by the construction of a project on the federal aid interstate system, including extensions thereof within urban areas, and the cost of such project is eligible and approved for reimbursement by the federal government to the extent of 90% or more under the federal aid highway act, or any amendment thereof, then in that event the utility owning or operating such facilities shall relocate same upon order of the state road department, and the state shall pay the entire expense properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility."

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Carlton moved that the Senate recess until 8:25 o'clock, P. M., this day.

Which was agreed to and the Senate took a recess at 7:06 o'clock P. M., until 8:25 o'clock P. M., this day.

The Senate reconvened at 8:25 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Carlton	Getzen	Morgan
Adams	Carraway	Hair	Neblett
Beall	Clarke	Hodges	Pearce
Bishop	Connor	Houghton	Pope
Boyd	Davis	Johns	Rawls
Brackin	Dickinson	Johnson	Stenstrom
Branch	Eaton	Kelly	Stratton
Bronson	Edwards	Kickliter	Sutton
Cabot	Gautier	Knight	

—35.

A quorum present.

Senator Davis presiding.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

Senate Joint Resolution No. 11-X(57)—A Joint Resolution proposing revision of Article IX of the Constitution of the State of Florida.

—begs leave to report that the House Amendment has been incorporated in the Senate Joint Resolution and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Joint Resolution No. 11-X(57), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

Senate Concurrent Resolution No. 86-X(57)—

A Concurrent Resolution providing for sine die adjournment of the Special Session.

—begs leave to report that the House Amendment has been incorporated in the Concurrent Resolution and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Concurrent Resolution No. 86-X(57), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendments and Conference Committee Amendments, for engrossing—

Senate Joint Resolution No. 9-X(57)—

A Joint Resolution proposing revision of Article VII of the Constitution of the State of Florida.

—begs leave to report that the House Amendments and Conference Committee Amendments, have been incorporated in the Senate Joint Resolution and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate.

And Senate Joint Resolution No. 9-X(57), contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. No. 3-X(57)	S. B. No. 28-X(57)
S. B. No. 4-X(57)	S. B. No. 29-X(57)
S. B. No. 16-X(57)	S. B. No. 30-X(57)
S. B. No. 18-X(57)	S. B. No. 31-X(57)
S. M. No. 19-X(57)	S. B. No. 32-X(57)
S. B. No. 20-X(57)	S. B. No. 34-X(57)
S. B. No. 21-X(57)	S. B. No. 36-X(57)
S. B. No. 25-X(57)	S. B. No. 37-X(57)
S. B. No. 26-X(57)	S. B. No. 38-X(57)
S. B. No. 27-X(57)	S. B. No. 39-X(57)

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957, for his approval.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk, to whom was referred—

S. J. R. 11-X(57)

S. B. No. 48-X(57)

S. B. No. 71-X(57)

S. B. No. 72-X(57)

S. B. No. 73-X(57)

S. B. No. 74-X(57)

S. B. No. 75-X(57)

S. B. No. 76-X(57)

S. B. No. 77-X(57)

S. B. No. 78-X(57)

S. B. No. 79-X(57)

S. B. No. 80-X(57)

S. B. No. 81-X(57)

S. B. No. 83-X(57)

S. B. No. 84-X(57)

S. C. R. No. 86-X(57)

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957, for his approval.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk, to whom was referred—

S. B. No. 24-X(57)

S. B. No. 51-X(57)

S. B. No. 43-X(57)

S. B. No. 52-X(57)

S. B. No. 47-X(57)

S. B. No. 57-X(57)

S. B. No. 50-X(57)

S. B. No. 58-X(57)

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957, for his approval.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk, to whom was referred—

S. B. No. 33-X(57)

S. B. No. 63-X(57)

S. B. No. 53-X(57)

S. B. No. 64-X(57)

S. B. No. 59-X(57)

S. B. No. 68-X(57)

S. B. No. 61-X(57)

S. B. No. 69-X(57)

S. B. No. 62-X(57)

S. B. No. 70-X(57)

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957, for his approval.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk, to whom was referred—

S. J. R. No. 9-X(57)

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957, for his approval.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk to whom was referred—

H. B. No. 52-X	H. B. No. 83-X
H. B. No. 68-X	H. B. No. 91-X
H. B. No. 69-X	H. B. No. 94-X
H. B. No. 70-X	H. B. No. 95-X
H. B. No. 76-X	H. B. No. 96-X
H. B. No. 77-X	H. B. No. 97-X
H. B. No. 80-X	H. B. No. 98-X
H. B. No. 81-X	

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk to whom was referred—

H. C. R. No. 51-X	H. B. No. 74-X
H. B. No. 62-X	H. B. No. 75-X
H. B. No. 71-X	

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk to whom was referred—

H. B. No. 40-X	H. B. No. 100-X
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—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk to whom was referred—

H. B. No. 50-X	H. J. R. No. 106-X
H. B. No. 84-X	H. B. No. 107-X
H. B. No. 101-X	H. B. No. 108-X
H. B. No. 102-X	H. B. No. 109-X
H. B. No. 103-X	H. B. No. 113-X
H. B. No. 104-X	H. B. No. 114-X

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk to whom was referred—

H. B. No. 56-X
H. B. No. 60-X
H. M. No. 64-X
H. B. No. 92-X
H. B. No. 93-X
H. B. No. 105-X

H. B. No. 111-X
H. B. No. 115-X
H. B. No. 116-X
H. B. No. 119-X
H. B. No. 120-X
H. B. No. 121-X

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk to whom was referred—

H. J. R. No. 8-X
H. J. R. No. 10-X
H. J. R. No. 12-X
H. J. R. No. 17-X
H. J. R. No. 18-X
Com. Sub. for H. J. R. No. 29-X
Com. Sub. for H. J. R. No. 31-X
H. J. R. No. 32-X
H. C. R. No. 118-X

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk to whom was referred—

H. J. R. No. 9-X
Com. Sub. for H. J. R. No. 11-X
Com. Sub. for H. J. R. No. 14-X
Com. Sub. for H. J. R. No. 16-X
Com. Sub. for H. J. R. No. 30-X

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on October 9, 1957.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Senator Brackin moved that a Committee of three be appointed to notify the House of Representatives that the Senate had finished its labors and was ready to adjourn sine die.

Which was agreed to.

The Presiding Officer appointed Senators Brackin, Beall and Houghton as the Committee.

The Committee withdrew.

A Committee from the House of Representatives, composed of Messrs. Beasley of Walton, Horne of Leon and Cleveland of Seminole, appeared at the bar of the Senate and notified the Senate that the House of Representatives had finished its labors and was ready to adjourn sine die.

The Committee withdrew.

The Committee appointed to notify the House of Represen-

tatives reappeared at the bar of the Senate and reported that the Committee had performed its duty.

The Committee was then discharged.

Pursuant to Senate Concurrent Resolution No. 86-X(57), the hour of 8:45 o'clock P. M., having arrived, the Presiding Officer sounded the gavel and declared the Senate in 1957 Extraordinary Session adjourned sine die.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on October 7, 1957, advised and consented to the following appointments made by the Governor:

John Fite Robertson, Sarasota, Member of the Florida Board of Parks and Historic Memorials, Third Region, for a term ending July 12, 1961.

Harry A. Earle, Dania, Member of the Board of Commissioners of the Everglades Fire Control District, Broward County, for a term ending August 16, 1959.

W. D. Roberts, Immokalee, Member of the Board of Commissioners of the Everglades Fire Control District, Collier County, for a term ending August 16, 1959.

A. E. DeVille, Miami, Member of the Board of Commissioners of the Everglades Fire Control District, Dade County, for a term ending October 2, 1959.

R. Wendell Click, Moore Haven, Member of the Board of

Commissioners of the Everglades Fire Control District, Glades County, for a term ending February 9, 1958.

G. E. Etherton, Clewiston, Member of the Board of Commissioners of the Everglades Fire Control District, Hendry County, for a term ending August 15, 1959.

R. J. Hargrove, Venus, Member of the Board of Commissioners of the Everglades Fire Control District, Highlands County, for a term ending August 7, 1959.

James M. Myers, Jr., Indian Town, Member of the Board of Commissioners of the Everglades Fire Control District, Martin County, for a term ending August 7, 1959.

R. A. Burgess, Okeechobee, Member of the Board of Commissioners of the Everglades Fire Control District, Okeechobee County, for a term ending August 7, 1959.

J. L. Murphy, Belle Glade, Member of the Board of Commissioners of the Everglades Fire Control District, Palm Beach County, for a term ending August 15, 1959.

O. G. Nanney, Fort Pierce, Member of the Board of Commissioners of the Everglades Fire Control District, St. Lucie County, for a term ending August 7, 1959.

Mrs. Gladys Moore, Miami, Member, State Board of Beauty Culture, First District, for a term ending June 27, 1960.

Jefferson Davis, Homestead, Member, Governing Board, Central and Southern Florida Flood Control District, for a term ending July 12, 1960.

CERTIFICATE

THIS IS TO CERTIFY that, as Secretary of the Senate of the State of Florida, at the Extraordinary Session of the Legislature of said State, September 30, 1957 to October 9, 1957, both dates inclusive, I have duly performed and completed the duties assigned me.

I FURTHER CERTIFY that, the foregoing pages numbered from 1 to 254, both inclusive, are and constitute a complete, true and correct journal and record of the proceedings of the Senate of the State of Florida, in Extraordinary Session, September 30, 1957 to October 9, 1957, both dates inclusive.

In completing my work for the Extraordinary Session, I desire to extend to the Members and to all Officers and Attaches of the Senate my sincere thanks for the many courtesies extended, and the splendid cooperation given me.

ROBT. W. DAVIS,
Secretary of the Senate

Tallahassee, Florida
October 9, 1957